6TH INTERNATIONAL ASSAM ISLAMIC UNION MODEL CONGRESS

Model ASRICA Confederation
Public Order and Internal Security Organization

12-13 NOVEMBER 2022

ASSAM | JUSTICE DEFENDERS
STRATEGIC STUDIES CENTER

PROCEEDINGS BOOK

On the Way to Islamic Unity...

6TH INTERNATIONAL ASSAM ISLAMIC UNION MODEL CONGRESS

"Model ASRICA Confederation Public Order and Internal Security Organization"

Congress Proceedings Book

12-13 November 2022

ASSAM ISLAMIC UNION MODEL CONGRESSES

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Translation: ASSAM | Justice Defenders Strategic Studies Center

ASSAM | JUSTİCE DEFENDERS
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ASSAM ISLAMIC UNION MODEL CONGRESSES

2017

Government Forms From Past to Future

2018

Islamic Economy and Common Economic Systems

2019

Model ASRICA Joint Defense Industry Production

2020

Model ASRICA Confederation Defense System

2021

Model ASRICA Confederation Foreign Policy Strategies

2022

"The 6th International ASSAM Islamic Union Model Congress" completed under the series of "International ASSAM Islamic Union Model Congresses"; with the participation of International Union of Muslim Scholars (IUMS), Union of NGOs of the Islamic World (UNIW) and Association of Justice Defenders (ASDER), on November 12-13, 2022, "DETERMINATION OF PRINCIPLES AND PROCEDURES OF COMMON PUBLIC ORDER AND SECURITY" for the Islamic Union was carried out under the main theme of "MODEL ASRICA CONFEDERATION PUBLIC ORDER AND INTERNAL SECURITY ORGANIZATION".

ABOUT

ABOUT ASSAM

- ASSAM: Justice Defenders Strategic Studies Center
- Foundation Year of ASSAM: 2013
- Aim of ASSAM: With the idea of the welfare of the Muslim nations, the survival of the established states, peace and domination of justice in the world would be possible if Islamic countries emergence as a superpower to the world political stage; to make the idea work; Muslim states, for each to the formation of strategic intelligence etudes, to make assessment individual and collective of internal and external threats, to identify the principles of internal and external security plan, institutions needed to be gathered under the common will and occurring and development of basis and principles of these institutions.
- ASSAM's Fields of Activities: ASSAM is involved in an activity in academicandscientificareas as a Strategic Research Center (SRC). ASSAM organizes yearly «International ASSAM Islamic Union Model Congresses». ASSAM has somesocialactivitiessuch as seminarandeducation.

ABOUT SIXTH INTERNATIONAL ASSAM ISLAMIC UNION MODEL CONGRESS (NOVEMBER 12-13, 2022)

- The congress was held in Turkish, English and Arabic languages. Presentations was interpreted simultaneously (instantly). Declarations will be published in book form on the ASSAM Congress WEB Site. Presentations will also be published in the ASSAM International Refereed Journal (ASSAM-UHAD) in electronic form. Those who want to have their declarations published in the ASSAM International Refereed Journal (UHAD) from the paper owners who sent declarations to our congress should prepare their declarations in accordance with the declarations preparation format of our refereed journal and upload them to the system. Declarations/articles in the refereed journal will be published after the refereeing process.
- The Congress Conclusion Reports to be prepared for execution will also be sent to decision-making mechanisms and invitees and participants from the Islamic World and will be published on the ASSAM Congress WEB Site.

CONGRESS INFORMATION

CONGRESS TITLE

6TH INTERNATIONAL ASSAM ISLAMIC UNION MODEL CONGRESS
Model ASRICA Confederation Public Order and Internal Security Organization

CONGRESS DATE AND PLACE

12-13 November 2022
Online, Zoom

COUNTRY INFORMATION OF DECLERATIONS

Turkiye-11, Afghanistan-1, Algeria-1, Bosnia Herzegovina-1, Burkina Faso-1
Chad-1, Egypt-3, India-1, Kashmir-1, Liberia-1, Malavi-1, Malaysia-3, Morocco-1
Niger-1, Pakistan-4, Palestine-1, Singapore-2, Syria-1, USA-1, Uzbekistan-1
Total: 20 Countries / 38 Declarations

ORGANIZATION

ASSAM | The Association of Justice Defenders Strategic Studies Center
IUMS | International Union of Muslim Scholars
İDSB | The Union of NGOs of The Islamic World
ASDER | The Association of Justice Defenders

ORGANIZATION COMMITTEE

ASSAM Administrative Board

EDITOR & DESIGN

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Dr. Ahmet Uslu | Kütahya Dumlupınar University

Dr. Ertuğrul Zengin | Kütahya Dumlupınar University

Dr. Yunus Şişman | Kütahya Dumlupınar University

Lect. Mahmut Kayaaltı | Kütahya Dumlupınar University

Suat Gün, Ret. Soldier, Journalist

INTRODUCTION

On the Congress on Determination of Model Principles and Procedures of Joint Public Order and Security for the Islamic Union;

GENERAL

The aim of the International ASSAM Model Islamic Union Congresses is to make determinations on an academic and political basis regarding current problems in world politics, especially in the Islamic Countries, **and to present a solution to the Islamic World and decision-makers about the necessary institutions for the gathering of Islamic Countries under a will and the necessary legislation for these institutions**.

It was decided to ensure the continuity of the **International ASSAM Model Islamic Union Congresses** as a result of consultation with the NGO Representatives from 27 Islamic Countries participating in the First Congress.

Taking into account the main fields of activity of the states, "International ASSAM Islamic Union Congresses" series, the first of which was held in 2017, the second in 2018, the third in 2019, the fourth in 2020, and the fifth in 2021, and planned to be held every year, will be implemented this year and in the next year, main topics are;

1. Determination of the Legislation on Management Figures and Organs for the Islamic Union (2017-CARRIED OUT),
2. Determination of Principles and Procedures of Economic Cooperation for the Islamic Union (2018-CARRIED OUT),
3. Determination of Principles and Procedures of Defense Industry Cooperation for the Islamic Union (2019-CARRIED OUT),
4. Determination of Principles and Procedures of Common Defense System for the Islamic Union (2020-CARRIED OUT),
5. Determination of Principles and Procedures of Joint Foreign Policy for the Islamic Union (2021-CARRIED OUT)
6. Determination of Principles and Procedures of Joint Public Order and Security for the Islamic Union (2022),
7. Determination of Principles and Procedures of Joint Justice System for the Islamic Union (2023)

It is aimed that the institutions required for the gathering of Islamic countries under one will and the legislation of these institutions will be revealed as a model.

The first congress was held in Istanbul, where the ASSAM central office is located, on November 23-24, 2017, in cooperation with Üsküdar University, the Association of Justice Defenders (ASDER) and the Union of Non-Governmental Organizations of the Islamic World (UNIW).

Representatives of Non-Governmental Organizations and academicians from 27 Islamic Countries attended the First International ASSAM Islamic Union Congress, abstracts were presented by 31 academicians from 11 countries and the presentations were published on the ASSAM Congress website. ([i])

As a result of the congress, it was concluded that the **"Islamic Countries Council of Representatives"** should be established and a **"Ministry of Islamic Union"** should be established in the Council of Ministers of each Islamic Country and a Model **"Declaration of the Islamic Countries Confederation"** approved by the ASSAM Executive Board; **It was signed by 109 NGO officials, 29 from Islamic countries and 80 from Türkiye**, and announced to the world public opinion through the press. (**[ii]**)

In addition, a model Constitution draft was prepared for the confederation of Islamic Countries, taking into account the provisions emphasized in the declarations. ([iii])

Our second congress was held in Istanbul, where the ASSAM central office is located, on November 1-2, 2018, in cooperation with Üsküdar University, Justice Defenders Association, the Union of Non-Governmental Organizations of the Islamic World (UNIW) and International Union of Muslim Scholars (IUMS).

To the Second International ASSAM Islamic Union Model Congress; Representatives of Non-Governmental Organizations and academicians from 29 Islamic Countries participated, 58 declarations were presented by 66 academicians from 15 countries, and the presentations were published electronically in the ASSAM International Refereed Journal (ASSAM-UHAD) and on the ASSAM Congress WEB Site.

Taking into account the declarations presented in the Second Congress and the Congress final report, the second congress declaration, including the first congress declaration, was prepared, presented to the decision-making mechanisms, all guests and participants from the Islamic World, and the world public opinion, and published on our ASSAM Congress WEB Site. (**[iv]**)

Representatives of NGOs and academicians from 45 Islamic Countries attended Third International ASSAM Islamic Union Model Congress and 58 declarations were presented by 57 academicians from 10 countries. Congress final declaration ([v]) and abstracts ([vi]) have been published on the ASSAM Congress website.

Fourth International ASSAM Islamic Union Model Congress is held on Determination of Principles and Procedures of Common Defense System for the Islamic Union with the main theme of "Model ASRICA Confederation Defense System" through video-conference method within the scope of pandemic measures on December 12, 2020 with the participation of Üsküdar University (UU), Kütahya Dumlupınar University (KDU), Justice Defenders Association (ASDER) and Union of NGOs of the Islamic World (UNIW) in Istanbul.

28 academicians from 15 Islamic Countries presented 27 declarations in the Fourth International ASSAM Islamic Union Model Congress. The Congress Declaration ([vii]) and Declarations Abstracts ([viii]) and the Declaration Full Text Book ([ix]), including the first, second and third congress declarations, have been published on our ASSAM Congress WEB site.

Fifth International ASSAM Islamic Union Model Congress is held on December 18-19, 2021 by video-conference method in Istanbul with the participation of Kütahya Dumlupınar University (KDÜ), Justice Defenders Association (ASDER) and Union of NGOs of the Islamic World (UNIW) and Pakistan Centre for Aerospace and Security Studies (CASS), on Determination of Principles and Procedures of Joint Foreign Policy for the Islamic Union with the main theme of "Model ASRICA Confederation Foreign Policy Strategy".

39 academicians from 18 Islamic Countries presented 42 declarations in the Fifth International ASSAM Islamic Union Congress. The Congress Declaration ([x]) and Declarations Abstracts ([xi]) and the Declaration Full Text Book ([xii]), including the first, second, third and fourth congress declarations, have been published on our ASSAM Congress WEB site.

Sixth International ASSAM Islamic Union Model Congress was held on November 12-13, 2022 by video-conference method, with the participation of **International Union of Muslim Scholars (IUMS)**, Union of NGOs of the Islamic World (UNIW) and Justice Defenders Association (ASDER), on the subject of "Determination of Principles and Procedures of Joint Public Order and Security for the Islamic Union" with the main theme of "Model ASRICA Confederation Public Order and Security Organization".

Our seventh and last Congress in this phase is planned to be held in cooperation with the NGOs of Islamic countries under the auspices and coordination of **ASSAM**.

The congress was held in Turkish, English and Arabic languages. Presentations was interpreted simultaneously (instantly). Declarations will be published in book form on the ASSAM Congress WEB Site. Presentations will also be published in the **ASSAM** International Refereed Journal (**ASSAM-UHAD**) in electronic form. The Congress Conclusion Reports to be prepared for execution will also be sent to decision-making mechanisms and all invitees and participants from the Islamic World and will be published on the ASSAM CONGRESS WEB Site.

GEOPOLITICAL VALUE OF ISLAMIC GEOGRAPHY:

57 of the 193 States in the World (*27% of the Member States*), 1,859.779.580 billion of the 7.916.525.000 billion World Population (*23,49% of the World Population*), the Islamic Geography, which is owned by 57 Islamic Countries, covers 30,9 million km2 (20.6% of the Lands of the Whole World) of the world's 150 million km2, **with the bloc they formed when the borders between them are ignored:**

1. Which is located in the **center of the continents of Asia, Europe and Africa**, known as the world island,
2. Which is controlling the Gibraltar, Bab-El Mendeb, Çanakkale and Istanbul straits and the Suez Canal, which are considered the gateways to the Mediterranean, Red Sea and Black Sea, which is the world's largest inland seas,
3. Which have coasts to the Atlantic Ocean, Indian Ocean, Mediterranean, Black Sea, Red Sea and Caspian Sea,
4. Which is bordered by land and sea to the continents of Asia, Europe and Africa, to the global powers of the world such as the European Union, Russia, India and , China, and to the United States by sea,

5. Which have the opportunity to be the **center of the land, air and sea transportation routes** without alternatives,

6. Which owns 55.5% of the world's oil reserves, 46.5% of its production also 64.1% of natural gas reserves, 34% of its production; by combining its geopolitical position, common civilization values and historical background with its opportunities, efforts and goals, it has the potential to become the superpower of the future.

GLOBAL ATTACKS TO THE ISLAMIC WORLD

In its geography where it should be sovereign, the **Islamic World** has become the site of the **undeclared, secret, insidious, dirty and asymmetric World War III**, in which the ethnic and sectarian units within the unitary structures of each Islamic Country are fighting each other.

Al-Qaeda in **Afghanistan**, Boko Haram in **Nigeria**, Anti Balaka in **Central Africa**, Revolutionary People's Liberation Party/Front (DHKP-C), Communist Party of Türkiye/Marxist–Leninist (TKP/ML), PKK, PYD, FETO/Parallel State in **Türkiye**, Al-Nusra Front, DAESH, Tahrir al-Sham and armed terrorist organizations operate under the control and support of global powers in **Syria** which drowned Türkiye and the Islamic geography in blood and tears and caused great harm.

Despite the advantages they have, Islamic countries have fallen into a great turmoil with the interventions of the imperialist western states. As a result of this turmoil, great suffering and destruction are experienced in the Islamic countries. Millions of Muslims are forced to choose between leaving their homes or dying. Thousands of Muslims die in various ways on the migration routes, and those who manage to migrate are doomed to live in poverty and misery.

According to the official data of the United Nations High Commissioner for Refugees, as of 2021, according to official records, 6.6 million Syrian citizens immigrated around the world. ([xiii]) This figure is even higher with unregistered refugees. Syrian Refugees migrated to Türkiye (3.645.140), Iraq (242.163), Jordan (662.790), Egypt (130.577), Lebanon (865531) and other countries in North Africa (31.657). Apart from these figures, there are intense attempts to migrate to Europe and most of them lose their lives in the Mediterranean. Despite these adversities, the total number of registered refugees crossing into Europe from April 2011 to January 2021 was 1,022,142. ([xiv])

The World War III is being waged as an undeclared war (Hybrid War) against Islamic Countries. After the collapse of the Ottoman Empire, the Muslims, who were left without a government, tried to continue their existence by establishing small states, but because they lost their unity and solidarity, they became an easy to swallow for global powers. **The United States, European Union, England, France, Russia and China aim to establish authority in Islamic Countries by waging proxy wars with the terrorist organizations they control and the asymmetric war methods they apply in order to seize the Islamic Geography.**

SIXTH INTERNATIONAL ASSAM MODEL ISLAMIC UNION CONGRESS

Our congress was held on November 12-13, 2022 in Video-Conference method. In our congress, the subject of "Determination of Common Public Order and Security Principles and

Procedures for the Islamic Union" was examined under the main theme of "Model ASRICA Confederation Public Order and Internal Security Organization".

The topics of the declarations to be presented by the academicians who participated in the Sixth International ASSAM Model Islamic Union Congress was examined under the following titles.

CONGRESS SUBTITLES

1. **Principles and Procedures in the Organization of the Administrative Structures of the Global Powers in the Past Related to Public Order and Internal Security;**
   a. Principles and Procedures of the Organization for Public Order and Internal Security in the Roman Empire,
   b. Principles and Procedures of the Organization for Public Order and Internal Security in the Byzantine Empire,
   c. Principles and Procedures of the Organization for Public Order and Internal Security in the Islamic State during the Time of the Prophet Muhammad,
   d. Principles and Procedures of the Organization for Public Order and Internal Security in the Umayyad Caliphate,
   e. Principles and Procedures of the Organization for Public Order and Internal Security in the Abbasid Caliphate,
   f. Principles and Procedures of the Organization for Public Order and Internal Security in the Seljuk Empire,
   g. Principles and Procedures of the Organization for Public Order and Internal Security in the Ottoman Empire,

2. **Organizational Principles and Procedures of the Administrative Structures of Today's Global Powers Related to Public Order and Internal** Security (Local Authority, Security in Cities, Rural Areas, Coasts and Borders);
   a. Principles and Procedures of the Organization for Public Order and Internal Security in the United States of America,
   b. Principles and Procedures of the Organization for Public Order and Internal Security in the Russian Federation,
   c. Principles and Procedures of the Organization for Public Order and Internal Security in the Republic of South Africa,
   d. Principles and Procedures of the Organization for Public Order and Internal Security in the European Union,
   e. Principles and Procedures of the Organization for Public Order and Internal Security in the People's Republic of China,
   f. Principles and Procedures of the Organization for Public Order and Internal Security in the Republic of India.

3. **The Envisaged Public Order and Internal Security** (Local Authority, Security in Cities, Rural Areas, Coasts and Borders) **Organization of Model ASRICA Confederation**;
   a. Model **ASRICA** Islamic Countries Confederation Constitution on the Provision of Security and Public Order
   b. Model **ASRICA** Islamic Countries Confederation Constitution on the Provision-to-be-added of Security and Public Order

     c. The Ministry of Internal Affairs of the Model ASRICA Confederation, which is carried out from the Center;

       i. Central Organization, Powers and Responsibilities,

      ii. (Police, Gendarmerie, Coastal and Border Protection) Organization in Regional Federations, their Powers and Responsibilities,

     iii. (Police, Gendarmerie, Coastal and Border Protection) Organization in National States, their Powers and Responsibilities,

4. Organization, Powers and Responsibilities in (Local Authority, Security in Cities, Rural Areas, Coasts and Borders) of the Model ASRICA Islamic Countries Confederation Ministry of Interior

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(i) https://www.assamcongress.com/congresses/past-to-future-government-forms/congress-abstract-book-17.html

(ii) https://www.assamcongress.com/congresses/past-to-future-government-forms/congress-declaration-17.html

(iii) https://www.assamcongress.com/congresses/past-to-future-government-forms/confederation-constitution.html

(iv) https://www.assamcongress.com/congresses/2018-congress/congress-declaration-18.html

(v) https://www.assamcongress.com/congresses/2019-congress/congress-declaration-19.html

(vi) https://assamcongress.com/congresses/2019-congress/abstracts-book-19.html

(vii) https://assamcongress.com/congresses/assam-kongre-2020/kongre-bildirgesi-en.html

(viii) https://www.assamcongress.com/congresses/assam-kongre-2020/abstracts-book-20-en.html

(ix) https://www.assamcongress.com/congresses/assam-kongre-2020/bildiri-kitapcigi-20-en.html

(x) https://www.assamcongress.com/congresses/assam-kongre-2021/kongre-bildirgesi-en.html

(xi) https://www.assamcongress.com/congresses/assam-kongre-2021/ozet-kitapcigi-en.html

(xii) https://www.assamcongress.com/congresses/assam-kongre-2021/bildiri-kitapcigi-21-en.html

(xiii) https://www.easo.europa.eu/sites/default/files/EASO-Asylum-Report-2020-Executive-Summary-TR.pdf

(xiv) https://data2.unhcr.org/en/situations/syria

PREAMBLE

Empires broke up at the beginning of the last century. The nations within the empires were organized by the victors of the World War I, as guided small states. Dependent states were sentenced to totalitarian regimes, although they thought they were free. Dictators were guarded and supported by guardian states. Between the two world wars, the developed states of the west were ruled mostly by fascist dictators, and the Soviets and their affiliates by communist dictators.

After the World War II, while the democratic systems were settled in the western states, taking the USA and the United Kingdom as an example, Communism was adopted as the government system in Russia and its affiliates.

The West formed the NATO bloc under the leadership of the United States against communism. In addition, the West formed the Warsaw Pact against raging capitalism in the Soviet Union led by Russia. The last century has passed with the development and promotion of the armed forces, and the exploitation of countries that have not gained their full independence as a result of the conflict between the two superpowers and the ideologies they represent.

After the World War II, the League of Nations *(January 10, 1920: April 18, 1946)* was revised and reorganized by the victors of the war, and the United Nations (UN) Organization was established on October 24, 1945. Although its purpose is stated as "to provide justice and security, economic development and social equality to all countries internationally", it works as an organization established to protect the interests of the victor of the World War II and the Permanent members of the UN Security Council (USA, England, France, Russia, China) in the world and especially in the Islamic geography.

After the World War II while Israel, which was placed in Palestine as the outpost of the 27th Crusade, is supported like the eyes, ears and fists of the Christian world in the Islamic geography, which it has entered like a dagger, and is protected by all organizations under western control, including the UN; with intense psychological operations, it was aimed to make people forget that this small state is an instrument of the west, by showing the administration of the world as under the control of Zionism and intimidating the Islamic world.

At the end of the century, the Soviet Union, which had been trying to keep Afghanistan under occupation, had disintegrated and socialist ideology had collapsed.

At the beginning of this century, the United States and NATO, remaining unrivaled, assumed the role of being the gendarmerie of the whole world and invaded Afghanistan and Iraq with the "Clash of Civilizations" mission on the pretext of bringing freedom. Since the actual occupations were costly, by declaring a new scenario to the world under the name of "Greater Middle East Project", it led the Islamic world to social, political and economic turmoil and instability, starting with Tunisia, Egypt, Libya, Yemen and Syria. Recovering Russia and strengthening its economy, China also took a more active role in the areas of sovereignty left to them in the Islamic world, and in alliance with the west behind the scenes, they took the path of gaining political and economic benefits from the blood and tears shed by Islamic countries.

The Muslim States, which are members of the United Nations, of which number is about fifty-seven, pass over the land, sea and air transportation of the whole world, despite the geography of important geostrategic value dominating the center of three continents, its rich underground and aboveground resources and the supreme spiritual values it represents because they could not get rid of the domination of the west and bring their national governments to work, they could not form an alliance and reach the power they deserved. Like a prisoner whose resources and opportunities have been plundered, whose wills have been taken away, who admire its executioner when it cannot have a common will; it waited for the international community to take action in order to get rid of all the misfortunes and oppression that had been brought upon him.

Türkiye, with the establishment of the Republic, with the acceptance that it is not possible to reach the level of developed states without changing the society with socio-cultural revolutions; seeing the religion of Islam, Islamic values and the civilization it represents as a threat, it turned its way to the west, turned its back on Islamic states and Muslim nations, and alienated the Islamic world, by showing western civilization as the ultimate goal to be reached. For a century, the administration of the country, which has been acting under the guidance of the west, has been suspicious of Islamic states, has been shown to the nation as such and has always looked at these states with the perception of threat. This point of view has led to the formation of two diametrically opposite wills *(bureaucratic and political wills)* in the state and their constant conflict, wasting the power of the state over the nation. While the Armed Forces, keeping the political will under their tutelage and controlling the bureaucratic authority, offended the devout people to the state due to the reactionary syndrome, they wanted to destroy the religious values that are the glue of unity and made the Kurdish people question their loyalty to the state because of their secular nationalist attitude.

It has been the true acceptance of Turkish intellectuals who have been brought up with Islamic culture that they depend on Türkiye's Leadership for the unity of Islamic countries and the national will to dominate all the institutions of the state in order for Türkiye to lead Islamic Countries.

Thanks to the political stability achieved in the last ten years, our country has largely solved its internal problems as a result of the struggle against the wrong official ideology by backing the values of the nation. It made the power of unity felt, at least regionally, and regained the prestige it should have by correcting its perspective on the Islamic world.

There are difficult days in front of Islamic countries, which are on the way to choose democracy by overthrowing authoritarian governments. Young democracies, which will struggle with corruption, poverty and the need for justice, should not be pushed back into the lap of the west in order to solve their huge problems. They need solidarity and the right guidance. There is a need for economic cooperation and support, foreign policy guidance, defense cooperation against exploiters, alternative justice systems against violations of rights originating from their own countries and third states, a common will for their welfare and security, for their and the world to be governed in peace and justice. Ultimately, the prosperity of Muslim nations, the establishment of peace and justice in the world depend on the emergence of Islamic countries as a superpower on the world political stage.

Based on the idea that the prosperity of Muslim nations, the survival of the states they have established, the establishment of peace in the world and the dominance of justice can only be possible with the emergence of Islamic countries on the world political scene as a superpower; establishing a database of Muslim states, each of their national power elements, and making individual and joint internal and external threat assessments and internal and external security plan principles and institutions needed to gather them under a common will, and to carry out intellectual studies that will ensure the formation and development of the organization principles and procedures of these institutions.

The International ASSAM Model Islamic Union Congresses, which started in 2017 and will be completed in 2023, are carried out with the aim of presenting these intellectual studies, solution proposals and a course of action as a ready model to the Islamic world and the political will of Islamic countries.

Adnan Tanrıverdi
President of the Board

FIHRIST

6th INTERNATIONAL ASSAM

ISLAMIC UNION MODEL CONGRESS

PROCEEDINGS BOOK

RETHINKING NATIONAL AND UMMATIC SECURITY IN THE LIGHT OF THE NEW GLOBAL DISORDER

Emer. Prof. Osman Bakar (Ph.D., FASc) / Malaysia

Keynote Speaker

University Malaya, Philosophy of Science | Holder of Al-Ghazali Chair of Epistemology, Civilizational Studies and Renewal at International Institute of Islamic Thought and Civilization at International Islamic University Malaysia (ISTAC-IIUM), Malaysia

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Abstract

Today's powerful nations -United States of America, Russia, China, European Union, India, and Israel- are exerting themselves through their various regional and global initiatives to shape or influence global developments that would serve their respective interests. They are working hard either by themselves or in collusion with others to create a new world order in which each would be a dominant player, if not the sole superpower. Since self-interest is the sole motivating factor of their strategic regional and global initiatives, clashes of interests become inevitable. The Ukrainian War is clearly a consequence of this clash of regional and global ambitions and interests. Unfortunately, the nations of the ummah are passive to the global political developments that are taking place before their very eyes. Their passivity is going to cost the ummah dearly, since many of these developments have adverse consequences even on bystanders of which the nations of the ummah are good examples. The security of the ummah, or *ummatic* security in its various dimensions, is likely to be further weakened by the impact of the new phase of rivalry among the big powers.

The OIC (Organisation of Islamic Conference), the ummah's only hope when it comes to their global aspirations, is a non-performer. It has disappointed the ummah again and again! In the wake of the Ukrainian War, which is in reality an armed conflict between US-led NATO and Russia, several Muslim leaders tried to initiate a move towards active-neutrality for the OIC. But apparently, the attempt was nipped in the bud by the Biden Administration and the EU. Since the OIC is made impotent to champion the cause of ummatic security in the light of the present global disorder, what other options does the ummah as a collective voice have to address this outstanding issue? In this presentation, I would like to argue that a new global Forum needs to be created that would unite Muslim groups that are addressing issues of Islam and the New World Oder. The core members of the proposed Forum would be the intelligentsia of the

ummah and its civil society leaders. One of the core issues to be addressed is the need for a new understanding of ummatic security in the light of contemporary global conditions. Another core issue is what Islam as a religion and as a civilisation can contribute to the global agenda for a new world social order in the twenty-first century. Now having enjoyed nearly a decade of its existence, ASSAM is well-positioned to play a leading role in the realisation of the proposed global Forum.

In this paper I would like to discuss the subject of the security of the *global ummah* or what I simply call 'ummatic security'. Let me be clear on what I mean by *global ummah* and *ummatic security*. In our present world, both ideas of global ummah and ummatic security need to be examined afresh and to be understood anew. Shortly, I will mention some of the most important reasons why we need to rethink on these two ideas. First, the idea of the global ummah. I am referring to the present-day ummah viewed as a global collective entity whose demographic strength now comes close to two billion souls. The ummah today comprises Muslim communities in practically every country in the world. In other words, the global presence of Islam as a community is now a living reality. These communities are either majorities or minorities in their respective countries of citizenship or residences. About one-third of the global ummah comprises minority communities of various sizes, some of which are relatively large, while some others are quite small. But big or small, all of them are important to the global ummah, since they can contribute in their respective ways to its overall civilisational health (*al-sihhah*) and prosperity (*al-falah*).

The newly emerging Muslim minorities are those established in the post-colonial period in Europe, the Americas, Australasia, and affluent Asian countries, namely Japan, South Korea, Singapore, and Chinese territories of Taiwan and Hong Kong. The presence of Muslim minorities in significant numbers in the advanced and affluent countries, especially the large ones such as in the United States, France, Britain, and Belgium, is one of the most important developments in post-colonial history of the ummah. This development is bound to have both positive and negative consequences for the global ummah. I have the strong belief that, viewed as a whole, the positive consequences will far outweigh the negative ones. The post-colonial period has witnessed significant changes in the demographic distributive pattern of Muslim communities in the world, particularly in the West. Greatly contributing to this demographic

wave of change was migration, itself partly generated by conflicts in countries formerly ruled by Western colonial powers.

This is the new demographic map of the global ummah that causes us to rethink about its present socio-cultural order and its future. Two outstanding features of this new demographic reality deserve our special attention and our repeated emphasis here. Feature 1, about one-third of the ummah belong to Muslim minority communities. Feature 2, the steady growth of Muslim communities in the advanced countries. I am arguing here that these two features of the ummah can help shape its future as well as the future of the whole humanity in the positive sense. What this means is that the worldwide Muslim minorities, especially in the West, should always be kept in our mind whenever we are discussing the agenda of the global ummah.

Muslim political leaders and intellectuals, think-tanks, research organisations and NGOs need to examine the serious issues that have emerged from this new demographic reality of the ummah such as Islamophobia and discrimination against Muslims in its various forms. Islamophobia is a real issue. It is happening in the West and in the East. It is one of the main threats and challenges that the ummah is currently facing, particularly its minority communities. Clearly, the ummah's security, both physical and spiritual, is under assault from many quarters. Notwithstanding our own self-reliance to counter this assault, the nature of the contemporary world is such that we have need of friends and sympathisers outside the ummah to help complement our own efforts in the pursuit and strengthening of our common security. But we cannot afford to confine our thinking to the issues of threats and challenges alone. We also need to deeply reflect and explore on the potential strength and opportunities for the greater wellbeing of the ummah that may be generated by this new reality.

Its potential strength for our times and for the future needs to be identified and harnessed but we must adopt new approaches to ummatic development and civilisational building. We must also adopt new formulae of success that are rooted in the Quran and the Prophetic Sunnah but at the same time well-informed about contemporary issues. The old way of over-reliance on the state for community development needs to go. Over-reliance of Muslim majority communities on the state has resulted in ummatic lethargy. The traditional spirit of ummatic self-reliance and ummatic innovation needs to be revived. I think, in the near-future, Muslim minorities especially in the West may perform better in community development than Muslim majorities, since they are relatively free of state control. Opportunities for the wellbeing of the ummah may be sought through various means, but the spirit of intra-ummatic understanding, mutual

acquaintance, cooperation and brotherhood is necessary to be kept alive. At the same time at the inter-ummatic level of relationship, the pursuit of intercultural dialogue is necessary.

Central to the new demographic reality of the global ummah is the issue of ummatic security. Whether we are talking about the present threats and challenges to the ummah or about empowerment of the ummah, the issue of security comes uppermost in our mind. This brings me to the second idea that needs our rethinking, namely the idea of ummatic security. The traditional idea of security of the ummah revolves around the issue of military aggression against member states by outside forces. Accordingly, Muslim majority countries conceive of their national security needs primarily in military terms. But the world is rapidly changing due primarily to profound advances in technology. These technological advances have many consequences on human life. The world order is taking new shapes be it in the socio-cultural, scientific-technological, or military domains. Due to human conflicts almost everywhere in the world, plus the general decline of spirituality, ethics and morality, the world is becoming increasingly disorderly. The traditional idea of humanness is under threat. The state of the art in technology itself is one of the causes of this decline in spirituality, ethics, and morality. In these circumstances the ummah needs to view the issue of security from a broader perspective as argued by Islam. From the Islamic perspective, the most fundamental form of human security is none other faith security, security of our *iman*.

Of course, the ummah should continue to address the traditional issue of military, economic, and social security, though these challenges are now appearing in new forms. We are now facing food and water security issues which are viewed as threats to physical human security and wellbeing. These issues have transcended national boundaries. On these issues the OIC as the ummah's global umbrella organisation has a paramount obligation to effectively deal with them. But the ummah cannot depend on the OIC alone to address these issues what more when it has disappointed them on many occasions and in many issues. Non-governmental global platforms need to arise out of the ummah's human resources to complement the OIC in the creation of an ummatic global order. It is hoped that this emerging ummatic global order will in turn work with the rest of humanity, especially non-Muslim organisations with similar goals, to help transform the present disorderly world into a more acceptable global order in the light of common universal values and justice.

Today's powerful nations – United States of America, Russia, China, European Union, India, and Israel – are exerting themselves through their various regional and global initiatives to shape or influence global developments that would serve their respective interests. They are

working hard either by themselves or in collusion with others to create a new world order in which each would be a dominant player, if not the sole superpower. Since self-interest is the sole motivating factor of their strategic regional and global initiatives, clashes of interests become inevitable. The Ukrainian War is clearly a consequence of this clash of regional and global ambitions and interests. Unfortunately, the nations of the ummah are passive to the global political developments that are taking place before their very eyes. Their passivity is going to cost the ummah dearly, since many of these developments have adverse consequences even on bystanders of which the nations of the ummah are good examples. The security of the ummah, or *ummatic* security in its various dimensions, is likely to be further weakened by the impact of the new phase of rivalry among the big powers.

The issue of ummatic security is, therefore, going to gain new importance in the coming years. This means that Muslim political leaders, scholars, and intellectuals must think hard on how best the ummah should respond to the global changes now happening before our very eyes. I am arguing that as many individuals and organisations among the global ummah as possible should come forward to present the case for a new world social order that is safe and just for humanity in accordance with the Quranic ideals. This envisaged world social order is not one that is dictated by the military and economic powers of the day. Rather, it is one that is based on universal principles cherished by all the world's spiritual and religious traditions. The Quran refers to this world order as the middle community (*ummatan wasatan*). In the Western tradition this idea of middleness is referred to as the golden mean. The main characteristic of *ummatan wasatan* is justice. The ummah is thus presenting itself to the world in accordance with its own identity that has been revealed by God Himself. The OIC should adopt the pursuit of the middle community as its agenda in international and global affairs. It should champion this goal at its own international Forums and at the United Nations and its various organisations, especially UNESCO. In doing so, the OIC would be remaining faithful to the Quranic idea of *ummatan wasatan*. Critics may counter argue that this proposal is just wishful thinking in the context of the present world. But it is the ummah's moral obligation to help create a new world order based on the idea of the middle path no matter how difficult it seems to transform it into reality.

Yes, many of us have a low opinion of the OIC. At present, it is the ummah's only hope when it comes to their global aspirations. Notwithstanding its poor performance in more recent times, Muslims should continue to give support, material and moral, to the organisation. For example, in the wake of the Ukrainian War, which many agree is an armed conflict between US-led NATO and Russia, several Muslim leaders tried to initiate a move towards active-neutrality for

the OIC. But apparently, the attempt was nipped in the bud by the Biden Administration and the EU. Still, Muslim leaders should strive to secure an active-neutrality policy for the Muslim majority countries in relations to the conflicts among the world's superpowers.

Since the OIC is made impotent to champion the cause of *ummatic* security in the light of the present global disorder, what other options does the ummah as a collective voice have to address this outstanding issue? In this presentation, I would like to argue that a new global Forum needs to be created that would unite Muslim groups that are addressing issues of Islam and the New World Oder. The core members of the proposed Forum would be the intelligentsia of the ummah and its civil society leaders. One of the core issues to be addressed by the proposed Forum is the need for a new understanding of *ummatic* security in the light of contemporary global conditions. Particularly important are the newly emerging issues of human security of which faith security is the most important. The implications of information and communications technology and Artificial Intelligence for faith security are placed at the top of the ummah's agenda on security issues. Another core issue is what Islam as a religion and as a civilisation can contribute to the global agenda for a new world social order in the twenty-first century. Now having enjoyed nearly a decade of its existence, ASSAM is well-positioned to play a leading role in the realisation of the proposed global Forum.

Many Muslims take pride in the present demographic strength of the ummah. But unfortunately, it is a big number without real strength. Do we remember the Prophet's prophecy about his ummah that a time will come when Muslims will be numerous but marginalised to the periphery of the world order. Let me conclude with the following hadith for our reflection.

It was narrated that Thawbān said: "The Messenger of Allah said: "Soon the nations will invite to partake of you, as diners call one another to a large dish." Someone said: 'Will it be because we will be few in number on that day?' He said: "No, rather you will be many on that day, but you will be like the refuse of the flood. Allah will take away fear of you from the hearts of your enemies, and Allah will pelt your hearts with Wahn (weakness)." Someone said: 'O Messenger of Allah, what is Wahn?' He said: "Love of this world and dislike of death.".

I. SESSION: HISTORICAL BACKGROUND OF INTERNAL SECURITY

MODERATOR: PROF. DR. YAKUP BULUT

MEASURES TAKEN ON PUBLIC ORDER PROBLEMS AND ENSURING SECURITY IN MEDIEVAL ISLAMIC CITIES

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Abstract

Among the public order problems that threaten cities in the Medieval, in addition to ordinary theft and extortion cases, more organized gangster and waylayer groups, ayyār movements, increasing looting / rebellion events during the famine, different social groups (Shia-Sunni, etc.) can be mentioned. The task of maintaining public order is under the responsibility of the Shurta organization. At the head of the organization, there are qadi, muhtasib, military administrator and sāḥib al-shurṭa, who is in the top. Within the organization, there are katib, auxiliary shuratis, night guards, patrol troops, bridge guards, wardens, executioners, and intelligence officers. Each of these assigned units has their own operational clothes and weapons, as well as special crests, official clothes and ceremonial daggers. The management base is usually a detached building, usually located on the site of the city's government buildings. In different Muslim and Turkish states, there are also different high-level administrators such as amir-i dad, amir-i hares, shahne and soubashi, who have the same job description asSāḥib al-shurṭa. The task of providing security in cities such as Diyarbakır and Aleppo is carried out by an institution called ahdath which is carried out by well-known large families. In the 14th century Anatolian cities, this duty is partly undertaken by the ahis. The security of the port cities and coastal regions in the Turkish Seljuks is ensured by an official called Emîrü's-Sevâhil (= Commander of the Coasts).

The provision of public order is also within the scope of partial duty of the muhtasib. In terms of public order, the muhtasib is in the position of a supervisor with superpowers who can pre-intervene in situations that pose more danger. The importance of these institutions is better understood in the times of anarchy. Ibn Kathir relates a chilling case of two Christian priests and a gang of 60 people acting together with them, who attempted a major arson using flammable-explosive materials in the bazaar of Damascus in 1340.

Medieval cities are usually surrounded by a wall and have 3 or 4 gates that are closed at night and controlled by guards during the day. There is a military garrison within the inner castle

(called kuhendiz), which is located in the most appropriate place of the city Traveling is only possible with a stamped travel certificate issued by the official authorities. These procedures are aimed at preventing the escape, espionage, smuggling and at the same time ensuring safety. On both sides of the long streets that make up the bazaars, there are iron caged doors that are locked at the end of the evening. At night, the safety of the bazaars is the responsibility of the Ases (night guards) who patrolled with guard dogs. Ases are a kind of semi-official protection officers whose salaries are paid by the trades union. Starting from the 10th century, it is observed that the main bazaars and important roads started to be illuminated at night.

1. Introduction: Public Order Measures

External threats that can harm the security of a city in pre-modern times include man-made ones, such as fear of looting or invasion, and natural disasters such as drought-related famine, epidemics, floods, and earthquakes. In the city, the general state of chaos, which may develop and arise depending on these external threats, or the security problems that may arise independently of them, disrupt both the culture of coexistence of the people and put the property and life safety of the individual people in a risky situation. Cities in the Great Seljuk country consist of three parts: *kûhandiz* (inner fortress), *şehristan* (city) ve *rabaz* (outskirts) (Özgüdenli, 2009: 373). There is a military garrison in the inner fortress (*kûhendîz*), which is located in the most suitable part of the city. Against possible external threats, medieval cities generally appear as castle-cities with a certain number of entrance gates. These city entrance gates are closed at nighttime. In the daytime, the entrances and exits are controlled. An official permit is required for all kinds of overseas and even intercity travels, even for education, trade, pilgrimage or just a touristic journey. The permission obtained is recorded in the official records and an *ijazah* (travel certificate), which is an indication of this, is given to the requester, if deemed appropriate. In case the merchant who will travel with his commercial goods is a well-known person, this permit is issued as an official stamped paper. For ordinary people who will travel, simple permission forms can be used, such as a seal on their arms or a lead tag that needs to be hung around the neck, depending on the situation (Lombart, 2002: 208-209; Ibn Battuta, 2004: 42).

In medieval Islamic cities, the iron cage doors at both ends of the long streets that make up the bazaar are closed in the evening. In the hours before the night, the main markets are secluded, the crowds of travelers and buyers are slowly withdrawing, and then the shopkeepers close their shops and return to their homes. Those who took over the task after the iron gates were closed are officers named *ases* with torches in their hands and guard dogs with them. The wages of the officers named *ases*, who patrol the market at certain hours, are paid by the shopkeepers of the bazaar, even though they are civil servants (Mazaherî, 1972: 241, 244; Ibn Kesîr, 1994: XIV, 345). After the visitors leave the Kayseriyye, funduk or inns and the working personnel finish their daily work (in the evening), it passes to the responsibility of the night watchmen (Mazaherî, 1972: 241; Özdal, 2016: 304).

It is seen that major bazaars and important roads have been illuminated at night since the 10th century. Inlaid copper lamps providing illumination were sometimes hung on the market wall

or on poles. Oil lamps are used in Iraq and Iran, and oil lamps are used in Syria and Egypt for lighting purposes (Mazaherî, 1972: 216).

2. Structure of the Shurta Organization

In the medieval Islamic cities, the task of maintaining security and fighting crime is under the responsibility of the Shurta organization. The Shurta organization consists of the chairman (*sahibü'ş-şurta*), the *katib* who carries out the official correspondence, the *shurti* and other sub-units within the body of this unit. These sub-units include guards, warden, security guards, correctional officers, night watchmen, intelligence officers, dungeon supervisors, patrol units, and bridge guards. Sâhibü'ş-şurta is at the forefront of the protocol along with officials such as muhtesib, qadi and army commander. As the protocol uniform, they wear hil'at (specially prepared, official dress), sash, şâsiyye (thin head covering), black serpuş, given by the caliph or the sultan himself. The shurtis under the command of the Sâhibü'ş-şurta wear their special uniforms, consisting of *izâr*, shirt, *dişdâş* (loose dress / men's dress), and *hızâm* (girdle). On their uniforms and long daggers hanging on their belts, they carry emblems that are unique to this organization and indicate their rank (Yılmaz, 2010: 242). In times of operation, the Shurtis wear armor, helmet and *cermuk* (special shoes) with their emblems on them, and are armed with a long dagger, an *kâfir kubat* (a war scythe with a blade like a sword), a whip (from cattle or camel skin) and a sword depending on the situation.

The shurta organization was dependent on the qadi during the time of Hazrat Ali. In the following periods and in different states, it was observed that the shurta organization was attached to the governor, shahne or vizier. In Andalusia, which was under the rule of Merini, the shurta was attached to the *hacîb*, which had the title of mizvâr (Yiğit, 2017: 246). Over time, this organization would be directly attached to the sultan (in Abbasids, to the caliph).

Judicial duties (investigation, adjudication), prison administration, maintaining general public order, execution, execution, questioning of suspects, assisting the qadi in court process, execution of qadi decisions, customs inspection, tax inspection, firefighting and even participating in the war in extraordinary situations are located within the scope of duty of the Shurta organization (Yılmaz, 2010: 244). The organization carries out all these duties in close contact with the qadi and muhtesib and in contact with the divan-ı barîd (post / intelligence agency). In Egypt under Abbasid rule, two shurta buildings were established, one in Fustat (*Şurtatü's-Süflâ*) and the other in the city of al-Asker (*Şurtatü'l-Ulyâ*). The shurta buildings in Islamic cities are generally located near the city regency, courthouse and hisbe buildings (often on the same area) (Yılmaz, 2010: 243).

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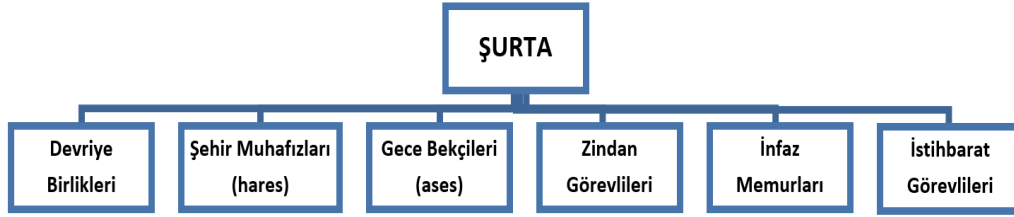
Diagram 1. Sub-Units Constituting the Shurta Organization (Özdal, 2018: 305)
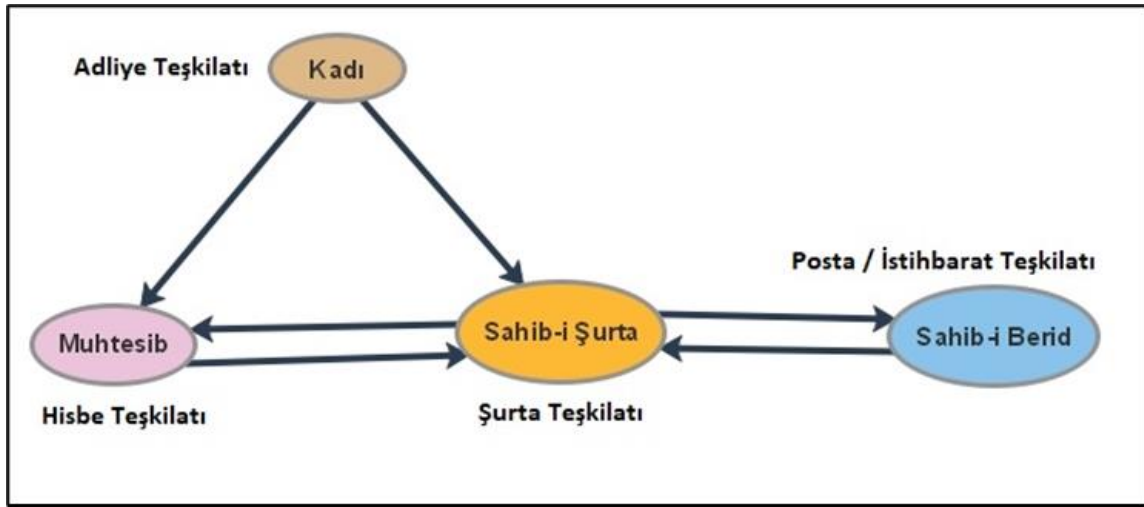
Diagram 2. Units coordinated with the Shurta Organization (Özdal, 2018: 305)

In pre-Islamic Turkish states and Muslim-Turkish states, soubashi also perform the duties of providing city security and public order (İlgürel, 2009: 448). Since the soubashi maqam, which came from the Turkish military administration tradition, and the shurta maqam, which was shaped in the Islamic state tradition, came together under a single state during the Seljuks, Atabeg or Ayyubids period, they shared the distribution of the duties mentioned above among themselves. In the Syrian region, interestingly, shurta and soubashi institutions have not become widespread as in other regions. Ensuring peace and order in this region is carried out by the institution called *ahdath*, which has different dynamics of its own (Alptekin, 1988: 509). Ahdath is a formation performed by well-known large families. In some Muslim-Turkish states, it is observed that *emir-i hares*, *emir-i dad* and *shahne* also undertake or share some duties of shurta. During the period of Delhi Slaves, the duties of public order and execution were shared by *Emir-i Dâd* and *Shahne* (Kortel, 2006: 289, 327). The security of the port cities and coastal areas in the Turkish Seljuks is ensured by an official called *Emîrü's-Sevâhil* (=Commander of the Coasts). An officer with this title, given by Ibn Bibî as Bahaeddin Muhammed, was trained

by Emir Emineddin and Emir Pervane, he was given careful training and he was made a man of authority (Ibn Bîbî, 1996: II, 203).

There are cases of corruption and abuse of office at various times in the Shurta organization or other similar divans or emirates that perform their duties. In such cases, perpetrators may face punishments such as scolding, dismissal, and in some cases imprisonment and (if a crime such as embezzlement) confiscation of property (Özdal, 2018: 306-307). The Great Seljuk vizier Nizâmü'l-Mülk suggested that *Siyâset-nâme* revive the rank of *Emir-i Hares*, which showed signs of corruption to Sultan Melikşah in the 40th bâb (Nizâmü'l-Mülk, 1999: 94-95).

3. Security Problems

Among the public order problems that threatened cities in the Middle Ages, more organized gangster and thieves groups, *Ayyar* movements, increased looting / rebellion events especially during famine periods, fights between Shiite-Sunni and similar different social groups can be mentioned, as well as petty theft and extortion cases. The *Ayyar* and *Shuttar* events, which had a hand in most of the turmoil in Baghdad until the complete disappearance of the Abbasid Caliphate, are actually a part of the movement that we can describe as a popular movement. Most Ayyars have a profession but the organization is not a professional organization. It is an anti-merchant organization that has tradesmen's organizations on the one hand and futuwwa on the other (even though most of its members are the same people) and actually takes a stance against big capital owners. This formation has moral principles such as not to touch the poor, women, weak people, and even to protect them; and they are a knight wandering alone outside the city, a volunteer fighting the enemy in the front lines when on the battlefields, and gangsters in the big city (Baghdad) who often clash with the capitalists, merchants and the police forces representing the authority (Durî, 1991: 101, 105-110; Cahen, 2012: 158-161).

In the periods when anarchy emerged, the importance of the Shurta organization and its equivalent institutions is better understood. Ibn Kathir talks about an arson incident that took place in 1339 regarding the Damascus bazaars. It is clearly stated that the explosive or combustible device described in the incident has a time-adjusted structure, although it is not known by what mechanism it was activated:

A group of Christian chiefs gathered in their churches and collected large sums of money among themselves. They gave this money to two Greek priestesses, Melani and Azir, who were well versed in explosive preparation, accommodation and all other aspects of espionage. These two people were preparing explosive / combustible materials from naphtha, such that the effects of

these explosives and combustibles only appeared after 4-5 hours. Towards evening, they placed the mechanism they had built in a crack in a wall next to the shops called Sûku'r-Rical. Because they were dressed in Muslim clothes, no one suspected them, nor saw exactly what they were doing. As night fell, people suddenly saw flames rising from where their shops were. Even the eastern minaret of the Umayyad Mosque on this side of the bazaar began to burn. Tengiz, the regent, and thousands of people came there.

A few nights later, the Christians attacked the entire office building on the west side of the Umayyad Mosque. They set fire to everything there. The sparks of the fire spread to the residences and madrasas around the office building. Their aim was to spread the fire to the Umayyad Mosque. (Ibn Kesîr: 1994: XIV, 297).

When the regent Tengiz came to the occasion of the second incident and realized from his provocations that the aforementioned arson had been carried out by the Christians, he had 60 of those found to be involved in this affair arrested, tortured and punished, and more than 10 Christian chieftains were killed and their bodies burned (Ibn Kesîr: 1994: XIV, 298).

4. Conclusion

The institutions providing security and order in medieval Islamic cities were formed or shaped depending on the Islamic state tradition, the Central-Asian Turkish state tradition, regional traditions, and the current needs. Even if the duty areas of these institutions sometimes seem to partially occupy each other's places, this situation has not caused any confusion in practice. In addition, these institutions cooperated with other units to ensure security and acted in a coordinated manner.

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THE POLICY OF PUBLIC ORDER IN EGYPT
DURING THE PERIOD OF SALADIN (1169-1193)

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Abstract

Under the Fatimid rule of Egypt, which started in 969, the state was divided between the Fatimid dynasty, grand viziers, statesmen, and military men classified according to their origins. Public order in Egypt was ensured by traditional and more arbitrary methods. Fatimid Dynasty considered this dividedness a means for the continuation of their rule. While there were massive prisons, like Daru'l-Mauna, built to ensure public order and to punish different social classes, there were also mansions, like Daru'l-Gazel facing the Nile, in which numerous kinds of entertainment were organized for the satisfaction of the upper classes. Inner conflicts became frequent in the country, where an opposition leader was nominated as grand vizier after he murdered his predecessor, and the clandestine relations between regional powers and the parties competing to take control of the state became a matter of survival for the country. Saladin, after he took control of Egypt (1169) adopted a policy of public order based on the integrity of the system. He also adopted a strategy aiming to unite the society and the state with all their institutions for a common goal as he put an end to the Fatimid rule which had been dividing the Islamic World. He built an integral, functional, and sensitive justice system, rebuilt the army, and also established an intelligence service meticulously monitoring not only the contacts established with the enemies abroad but also the malign efforts to distort the public order. He had all the state affairs recorded by a solid council. Moreover, he abolished heavy taxes by reordering the fiscal system and also rendered the zakat system and other ways of Islamic cooperation functional. He simultaneously transformed both Daru'l-Mauna and Daru'l-Gazel into madrasahs, spread the teaching of al-Qur'an to all social classes, and opened Dar al Hadiths. And also, he moved Sufi institutions from Damascus to Egypt and gathered them under one rule in order to ensure the development of the Muslim mind, aiming for a common cause. He thus established the social edification under an Islamic order. The public order measures taken by his regents were even mocked by different social classes who had grown accustomed

to arbitrary governance. But he was quite determined to find a public order, which would prove effective till Ottoman Period, and succeeded in his quest, too.

In our presentation, we will evaluate this public order policy and experience which holds an essential place in the history of the Islamic world.

Keywords: Public Order, Saladin, Egypt, North Africa, Islamic World.

1. Introduction

Saladin (d.1193) was talked about mostly in the Islamic world with his conquests, Muslims saw an example in his struggle against the Crusaders, especially the conquest of Jerusalem (1187), and tried to find a motivation from his determination to fight.

Although some studies have been published about the importance he attached to science and scientific institutions in recent years, apart from the conquest of Saladin, no significant research has been published about him until today. However, Saladin's conquests have a solid background in domestic politics.

Just as Saladin conquered Jerusalem, he also ended the war against the Third Crusade with victory, which ensured the retention of the holy city. On the other hand, just as he prevented this invasion from the West, the Mamluk structure that he established in Egypt and continued by his dynasty also prevented the Mongol invasion from the East. While he had won the victory of Hattin against the Crusaders (1187), the victory of Ain Jalut against the Mongols (1260) was also won by the Mamluks, whom Melikü's-Salih, the grandson of his brother Melikü'l-Adil, took when he was a child and personally trained. In this respect, Saladin has gained a place in the history of Islam and the world.

Saladin's inward-looking activities are of great importance in concluding his war against foreign powers with victory and in ensuring that these victories gain continuity and leave lasting effects like the first conquests of the Islamic world. His internal activities are also vital to the understanding of his experience.

His uncle Shirkuh organized three expeditions to Egypt and Saladin took part in these expeditions. Shirkûh dominated Egypt after the third in this series of expeditions (1169); Upon his death two months later, Saladin took over the administration as the chief vizier in Egypt. In a short time, he put an end to the turmoil in Egypt, ensured security in the country, and then turned to the struggle against the Crusaders.

It was the internal turmoil that left the rulers of the time powerless against the Crusaders. Because the rulers could not move away from their capitals and turn to conquests because they did not see their backs in safety due to the internal turmoil. Saladin, on the other hand, spent the first five years of his reign, which lasted for twenty-four years, in Egypt, and spent seventeen of the remaining nineteen years away from Egypt.

What enabled him to maintain this attitude, which was an exception for his age, was that he felt safe in favor of the capital city of Egypt, in other words, the security in Egypt was far from a state of concern.

In our presentation, we will explain Saladin's public order policy by making use of the rich resources of his period and the researches made about that period.

2. Public Order in Egypt Before Saladin

Egypt, which was conquered by the Islamic armies under the command of Amr ibn al-As in the time of Hazrat Umar, became the subject of rapid development in peace. After Rashidun, there was a golden age in the Umayyad Period. However, with the collapse of the Umayyad State (750), the Abbasids, who dominated the Islamic world, turned to the east. The west of the Islamic world was neglected. Egypt was also affected by this neglect.

With the formation of the Taifa States and the arrival of the Turkish soldier Ahmad bin Tulun (d. 884) in 868, Egypt gained a kind of independence, regained a central position and became the subject of development. However, the rule of the Tulunids lasted only thirty-seven years (868-905).

[1] First, there was an interregnum in Egypt, then Muhammad ibn Tughj (d. 946), another Turkish soldier, took over the administration. But the Ikhshidid dynasty administration did not rule even as long as the rule of the Tulunids (935-969). In the last years of the Ikhshidid dynasty administration, a Black vizier named Abu'l-Misk Kafur (d. 968) ruled the country.[2]

After the death of Kafur, Egypt was left alone with epidemics and famine. Taking advantage of the situation, the Fatimid army under the command of Cevher es-Sıkıllî (d. 992) captured the country without a fight (969). Egypt entered a new historical process with the Fatimid invasion.

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[1] Ibn Taghriberdi, *en-Nucûmü'z-zahira fi mulûki Mısr ve'l-Cairo*, Muhammed Hüseyin Şemseddin, Cairo: Dârü'l-kütübi'l-ilmiyye, 1992, vol. 3, p. 1-142.
[2] Ibn Taghriberdi, vol. 3, p. 321-343, vol. 4, p. 1-18.

The Fatimid State was founded by the Ubeydîs dynasty, who belonged to the Ismaili branch of Shiism, in 909 in Ifrîkiye, and the founder of the dynasty, Ubayd Allah (d. 934), was declared the caliph with the nicknames "Mahdî-Lidînillâh" and "Emîrü'l-mü'minîn". Thus, the Fatimid State had formed itself as a separate sectarian state from the Islamic world.

When Jawhar as-Sikilli dominated Egypt, he founded the city of Cairo opposite the city of Fustat, which was founded in the Umar era. Soon after, the construction of al-Azhar Mosque began for Shiite propaganda. While Egypt was gaining more and more importance under the Fatimid administration with its central location and these activities, the Fatimid Imam al-Mu'izz li-Din Allah left Ifrîkiye in 973 (362) and made Cairo the capital city. Thus, Cairo became an important caliphate center like Baghdad and Cordoba.

The Fatimids, whose rulers were referred to by the title of "imam" in the Shiite tradition rather than the title of "caliph", seemed to provide stability by solving Egypt's economic problems and giving the country a value appropriate to its historical and geographical importance. However, with the Fatimid government, an abnormal situation occurred that would create the ground for more conflicts. While the Fatimids were Shiites, the Muslim people of Egypt were members of the Ahl as-Sunnah. There was also a substantial population of Coptic Christians in Egypt who were subordinate to and accustomed to living with the Muslims.

The Fatimid administration, which was embodied as a military structure within the psychology of the "dominant minority" in Egypt, occasionally resorted to harsh practices against the members of the Ahl as-Sunnah; sometimes, he turned to the same practices against the Christian minority to win their favor, or acted in the opposite direction to redeem them and brought the Christians to the fore.

The Fatimids were also experiencing differences among themselves regarding the Shiite belief, and they were in conflict sometimes. The Fatimid imams made the death penalty commonplace and set up huge dungeons in the country in order to suppress objections to them in the social equation that governed politics.

The turmoil in the country turned into signs of denial for the Fatimid State, about a century before Saladin's domination of Egypt (1169).

Until that day, the state was ruled directly by the Fatimid imam. Governors and soldiers were directly subordinate to the imam. The military structure consisted of various elements, and this diversity often led to internal conflicts, while allowing the Fatimid imam to maintain his power. When the Fatimid Imam of the time, Mustansir-Billah (d. 1094), could not cope with the

disorder, he brought Badr al-Cemali (d. 1094), who ruled Acre, to the vizierate with the title of "Emirü'l-Ceyş/Army Commander" (1074).[3] Thus, the viziers became the "sultans" in the country[4] and entered the "age of influence of the viziers", which can be called the "age of anarchism" for most of this period.

While Bedr suppressed anarchism[5] with the military administrations, which resulted in the murder of people "*who will not be recorded and only Allah knows the number,*" in al-Maqrizi's words, a conflict between imams and viziers started with his transfer in the country. While the viziers also intervened in the election of the heir to fully dominate the country, the emirs, who held different positions, came into conflict with each other for the office of vizier, which turned into a very attractive task and even reached the position of "sultan" in the words of historians. While the Fatimid imam was maintaining his power by taking advantage of the conflicts between them, a system emerged in which the imam who killed the "sultan" chief vizier was approved by the imam as the new chief vizier.[6]

The Fatimid administration could not fight the Crusaders' invasions of Jerusalem (1099) due to internal turmoil. After Jerusalem, the administration lost Eastern Mediterranean cities such as Tyre, Sidon and Beirut to the Crusaders. The vizier, the emir and the soldiers could not deal with the Crusader invasion as their attention was constantly on the capital Cairo, they could not send their loyal soldiers out of Cairo, they could not keep them out of Cairo for a long time.[7]

Fatimid imams resorted to different methods to get rid of the domination of the viziers. In this context, Fatimid Imam Hâfız-Lidînillâh (d. 1149) had his son Hasan killed during the heirship debates and made Armenian Bahram (d. 1140) a vizier with the nickname "seyfü'l-Islam tâcü'l-hilâfe" (1135). Thus, for the first time in the country, a Christian dominated Egypt in the Islamic era.

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[3] İbn Müyesser, *Ahbarü'l-Mısr*, Henry Massey, Cairo: Matbatü'l-Fransi el-İlmî, 1919, vol. p. 32-33; İbn Müyesser, *el-Müntaka min Ahberi Mısr*, Eymen Fuad, Cairo: Matbatü'l-Fransi el-İlmî, 39-41.

[4] İbnü't-Tuveyr, *Nüzhetü'l-mukleteyn fî ahbâri'd-devleteyn*, Eymen Fuad Seyyid, Beirut: Darü's-Sadr, 1992, p. 44; Kalkaşendî, *Kitabu Subhu'l-a'şa*, Kahire: Dârü'l-kütübi'l-Mısrîyye, 1922, vol. 10, p. 80, 310; Eymen Fuad, *ed-Devletü'l-Fâtimîyye fî Mısr Tefsirü Cedid*, Cairo: Darü'l-Mısr el-Lübnaniyah, 1992, p. 190.

[5] Maqrizi, *İtti'âzü'l-hunefâ' bi-ahbâri'l-eimmeti'l-Fâıımiyyîn el-hulefâ'*, Muhammed Ahmed Hilmi, Cairo: Vezâretü'l-evkâf, 1996, vol. 2, p. 311-313, 329.

[6] Eymen Fuad, p. 250-254.

[7] For the struggle of the Fatimids against the Crusaders, see Abdulkadir Turan, *Kudüs'ün İstilasından Urfa'nın Fethine Müslümanların Haçlılarla Mücadelesi*, Istanbul: Siyer Yayınları, p. 2021, p. 21-60.

Bahram had about 30 thousand Armenians migrated from Tel Bashir around Antep to Egypt in order to change the balance in the state. While the Armenians, who built churches one after another, gained weight in the army, most of the divans passed into the control of the Christians.

This Christian administration, which emerged in Egypt at a time when the Islamic world was under the threat of the Crusades, disturbed the Muslim people and increased the internal turmoil even more. Eventually, the Blacks (Sudanis), led by Rıdvan (d. 1149), rebelled against this situation. Blacks killed thousands of Armenians. When the Fatimid Imam saw that the rebels were getting stronger, he took a stand with them, made Rıdvan a vizier and officially gave him the title of "malik (sultan)", which is the first vizier to take the title of sultan in Egyptian history.[8] But this did not end the internal turmoil in Egypt.

The last internal conflict before Saladin dominated the country was between the Vizier Şaver (d. 1169) and one of the commanders, Dırgam b Âmir (d. 1164). Şaver resorted to foreign powers to get rid of Dırgam. He went to Damascus to Nureddin Mahmud Zengi (d. 1174) and asked him for help.

With Nureddin's response to Şaver's request, the army commander Asad ad-Dīn Shīrkūh (d. 1169) went to Egypt with his nephew, Saladin (1164). While Dırgam was killed and disposed of, Şaver asked Shīrkūh to leave the country.

Knowing no bounds in cooperation with foreign powers, Şaver this time agreed with the Crusader King of Jerusalem, Amaury I (d. 1174), and began to transfer the country's resources to the Crusaders who were at war with the Muslims. In the face of this grave situation, Shīrkūh took permission from Nureddin and moved to Egypt, and on his way, he defeated the Şaver and Crusader forces in a location called Montgisard. After this war, in which Saladin emerged as a great commander, Shirkûh headed to seize Alexandria and seize Egypt. But against the alliance of the Crusaders and Şaver, he had to return to Damascus on the condition that the Crusaders also leave Egypt (1167).

With the departure of Shīrkūh, the Crusaders established a garrison in Cairo and disturbed the Muslims. Şaver, who gave the country's financial resources to the Crusaders, persecuted the people in order to collect more money and suppress the rebellions against it.

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[8] İbnü't-Tuveyr, p. 43-51; İbn Müyesser, *Ahbar*, vol. 2, p. 87-89; İbn Müyesser, *el-Müntaka*, p. 123-124; İbnü'l-Esîr, ***el-Kâmil fi't- târîh,*** Ebu'l-Fidâ Abdullah el-Kâdî, Beirut: Dâru'l-kütübi'l-ilmiyye, 1978, vol. 9, p. 280-281, 296-297.

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When the Crusader King Amaury I saw that Egypt had completely surrendered to internal turmoil, he attempted to invade the country. They went as far as Bilbeis and massacred the people. When the Crusaders turned to the historical city of Fustat, Şaver sent the people to Cairo and burned Fustat (1168).

This time, the Fatimid Imam applied to Nureddin to get rid of the Crusaders. By the order of the Sultan, Shirkûh and Salahaddin moved towards Egypt. When Amaury I heard that Shirkûh was heading towards Egypt, he fled to Palestine with his army. Shirkûh was appointed as vizier to Egypt (18 January 1169). However, he died two months later (23 March 1169). Thereupon, Saladin took his place.[9]

3. Saladin's Public Security Experience Before the Egyptian Administration

Saladin is a member of a dynasty that has worked in public order for many years and in different cities. His father and uncle Shirkuh were responsible for the administration and security of the city of Tikrit near Baghdad, which was affiliated to the Iraqi Seljuks, before they joined Nureddin's father Imad al-Din Zengi (d.1146). His father, Necmeddin Eyyub, was the governor of the city until the year he was born (1138) to Saladin, while his uncle Shirkuh was the military governor of the city, which corresponds to the current "police directorate" of the city.

After joining Zengid, the two brothers fulfilled the same duty in Baalbek, which is located within the borders of Lebanon today and bordered by the Crusaders at that time. Nureddin, who brought peace to Damascus, also grew up with them.[10]

After Zengid's death, Shirkuh was the army commander of Nureddin and won historical victories, while also ruling Homs, one of the important cities of Damascus.[11] When the two brothers ensured that Sham's most important city Damascus was captured by Nureddin, Nureddin left the administration of Damascus to Necmeddin.[12] Thus, while Necmeddin rose to

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[9] el-Feth b. Alî el-Bündârî, *Sene'l-berkı'ş-Şâmî*, Fethiye en-Nebravî, Cairo: Mektebetü'l-Hanci, 1979, p. 39-43; İbnü'l-Esîr, vol. 9, p. 465-466; vol. 10, p. 3-4, 13-17; Bahâeddin İbn Şeddâd, *en-Nevâdirü's-sultânîyye*, Cemâleddin eş-Şeyyâl, Cairo: Mektebetü'l-Hanci, 1994, p. 80-81; Ebû Şâme, *Kitâbü'r-Ravzateyn fî ahbâri'd-devleteyn en-Nûriyye ve's-Salâhiyye*, İbrahim Şemseddin (Şerh ve İlgiler), Beirut: Dâru'l-kütübi'l-ilmiyye, 2002, vol. 1, p. 355- 357; vol. 2, p. 10, 34-35; Maqrizi, *İttiʿâz*, vol.3, p. 262-270, 283-287, 292-295, 296-299, 301-302, 304-308.

[10] İbnü'l-Esîr, vol. 10, p. 15-16.

[11] Bündârî, p. 24; Ebû Şâme, vol. 2, p. 23-26.

[12] İbnü'l-Kalânisî, *Târîhu Dımaşk*, Süheyl Zekkâr, Dımaşk: Dâru Hassân, 1983, p. 509, 516; Ebû Şâme, vol.1, p. 285, 295-297; Coşkun Alptekin, *Dımaşk Atabegliği (Tog-Teginliler)*, Istanbul: Marmara University Faculty of Arts and Sciences Publications, 1985, p. 159; Şeşen, *"Eyyûbîler", DİA*, Ankara: TDV Yayınları, 1995, vol.12, p. 20.

the position of Nureddin's most important amir, the glory of Damascus was first left to his eldest son, Şahinşah, and then to Saladin.

Saladin performed an epic leading role in Damascus, which was the subject of poems. A famous poet of the period recorded his glorious success in history with these famous lines:

> "Size sesleniyorum ey Şam'ın hırsızları,
> Muhakkak ki ben sözlerimle size nasihat ediyorum,
> Bu Nebi Yusuf'un ismiyle isimlenen,
> Üstün niteliklerle donanmış Yusuf,
> Nebi Yusuf kadınların elini kesiyordu (ona bakıp parmaklarını kesiyorlardı.),
> Bu Yusuf ise erkeklerin (hırsızların) ellerini kesiyor."[13]

Saladin ruled on behalf of his uncle the city of Alexandria, which he captured in the second Egyptian campaign of Shirkuh, where his historical adventure was the first recorded heroism;[14] While leading the people of Alexandria in defense, he was the subject of admiration of the Crusaders who besieged the city and the Egyptians who sided with them. This experience, in which his courage, management and diplomacy skills were seen at the same time, took place in the texts of today's Western historians, like the Crusader historians of the time.[15] Therefore, when he dominated Egypt, he had a versatile experience.

4. Saladin's Public Order Policy in Egypt

Saladin must have known the country with all its units and analyzed the factors behind the internal turmoil and the problems caused by it, during the campaigns he participated with his uncle, which enabled him to dominate Egypt. Against this situation, Saladin tried to reintegrate Egypt with the Islamic world and to reorganize the Islamic world in a way that would serve the goal of victory against the Crusaders. For this reason, he turned to a holistic policy as Nureddin did in Damascus. In this context, it is possible to discuss his security measures under the following headings:

4.1. Elimination of the Promoters of the System That Leads to Public Order

The main units that led to internal turmoil in Egypt were military. These military structures were the former chief vizier Şaver, the Secretary of the Palace (Palace Agha) Tavaşi Sanîatü'l-

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[13] İbn Kesîr, *el-Bidâye ve'n-nihâye*, Ahmet Cad, Kahire: Dâru'l-hadis, 2006, vol. 12, p. 218-219.
[14] İbnü'l-Esîr, *el-Kâmil*, vol. 10, p. p. 4-5; Ebû Şâme, vol.2, p. 8-9; İbn Vâsıl, *Müferricü'l-kürûb fî ahbâri Benî Eyyûb*, Cemâleddin eş-Şeyyâl, Kahire: 1953, vol. 1, p. 151-152.
[15] William Archbishop of Tyre, *A History of Deed Beyond The Sea*, Emily Atwater Babcock (Who Translated the Text and Added the Explanations), New York: Colombia Unıversıty Press, 1943, vol. 2, s. 331-343; Steven Runciman, *Haçlı Seferleri Tarihi*, Fikret Işıltan (Translator), Ankara: Türk Tarih Kurumu, 2008, Volume: 2, p. 283, vol. 2, p. 311-314; Malcolm Cameron Lyons ve D. E. P. Jackson, *Selahaddin Kutsal Savaşın Politikiları*, Turkish: Zehra Savan, Pınar Yayınları: Ankara, 2006, p. 23-29.

Mülk el-Cevher and the Arab tribes and soldiers gathered around the Fatimid imam, the Armenians who were responsible for protecting the palace, and the Blacks, also called Sudanese.

While still in his uncle's viziership, Saladin trapped and eliminated Şaver. Thus, the most important unit that would oppose the new order was thrown off the stage.[16]

After Saladin became the vizier himself, he tended to eliminate Cevher and neutralized him in the year he was still in control of Egypt (1169). The Black units, who were enraged by the murder of Cevher and numbered fifty thousand, revolted, but failed because they were headless. The Fatimid Imam also supported them in the first moment of the rebellion. But when he realized that they could not succeed, he appeared neutral and ultimately sided with Saladin.

Saladin drove this military structure, which was accustomed to rebellion, from Egypt to Jiza. In order to take control of the palace, he appointed Bahaeddin Karakus, one of his uncle's trusted mamluks, as the head of the palace officials. Karakus, an authoritarian ruler, took complete control of the Fatimid palace.

After eliminating the Blacks, Saladin turned to the Armenians, who supported the Black rebellion, and resorted to a drastic measure against them, such as setting fire to their neighborhoods. While some of the Armenian soldiers were killed, the other part was exiled to the Said region. [17]Thus, while the capital was rid of the military crowds that were the source of anarchism, the Fatimid imam was also isolated so that he could be overthrown at will. Saladin left the Fatimid imam, who was at the center of the system and the source of legitimacy for him as the authority that appointed him, for last. When he ended the Fatimid Caliphate in 1171, he did not encounter any social reaction. He easily dispersed the groups that wanted to re-establish the Fatimid caliphate.

4.2. Formation and Protection of New Staff of the State

In Egypt, Saladin formed a core staff with Fakih Isa al-Hakkari, a scholar and soldier who came with him from Damascus, his uncle Mahmud al-Harimi, and Bahaeddin Karakus, one of his

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[16] Makrîzî, *İttiʿâz*, Volume: 3, p. 300-301; İbnü'l-Esîr, *el-Kâmil*, vol.10, p. 15; İbnü'l-Esîr, *et-Târîhu'l-bâhir fi'd-devleti'l-Atâbekiyyebi'l-Mevsıl*, Abdülkadir Ahmed Tuleymât, Cairo: Dârü'l-kütübi'l-hadis Baghdad: Mektebetü'l-müsna, 1963, p. 140.
[17] Bündârî, p. 43-44; İbnü'l-Esîr, *el-Kâmil*, vol. 10, p. 18-19, Şeşen, Selâhaddin, p. 45.

uncle's mamluks, and added Qadi Fâdil in the Fatimid council.[18] Qadi Dirbas, Selâhaddin's nephew Taqi ad-Din Umar, his elder brother Turan Shah, who went to Egypt from Damascus[19] after the rebellion of the Blacks and Armenians, his brother Meliku'l-Adil, Byzantine and Crusaders turned to Damietta; His father, Necmeddin el-Eyyub, who was sent to Egypt by Nureddin upon his own request, also participated (1170).

Saladin had Bahaeddin Karakus build an enormous castle in the center of Cairo (1173), creating a reliable working area for the core staff of the state.[20] Qadi al-Fadil and Bahaeddin Karakus were in the center of the state, while Fadil ruled the divans, Karakus maintained the security of the country.

4.3. Formation of a Meticulous Intelligence Structure

Saladin attached great importance to intelligence at sea and on land. His meticulous intelligence is among the basic elements that enable him to be successful in the face of external forces as well as internal forces that attempt to revolt against him at the first moment.

Saladin closely monitored both the sea and land borders of Egypt and kept the entrances under control, as well as the exits from inside to outside.

Saladin had a small army in Egypt. For this reason, he acted against his opponents with the principle that "*Secret tricks were more effective on them than open decisions*".

In the first period of Saladin's domination of Egypt, there were two great successes of his intelligence. One is a success achieved before the Fatimid Caliphate was abolished, and the other is after the abolition of the Fatimid Caliphate. The first is against the remnants of the Fatimid army, the other is against the supporters of the Fatimid Caliphate.

With Egypt gaining dominion, the internal opposition led by the aforementioned Cevher decided to stay in touch with the Crusaders. The Crusaders of Jerusalem would also reach Byzantium and the Pope, and finally, all the enemy forces would unite and eliminate Saladin. According to the plan, the Crusaders would attack Damietta, and when Saladin headed there, the rebels would seize Cairo. But the intelligence units that Saladin placed on the road in Bilbeis enabled the discovery of the plan. A passenger wearing old clothes and an old shoe caught the

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[18] İbn Hallikân, *Vefeyâtü'l-a'yân*, İhsan Abbas, Beirut: Dâru Sadr, 1978, vol. 3, p. 158-160; Zehebî, *Siyerü a'lam*, vol. 21, p. 338-341.
[19] Bündârî, p. 44.
[20] İbn Cübeyr, *Rıhletü İbn Cübeyr*, Daru Sadr: Beirut, p. 125; Ebû Şâme, vol. 2, p. 293-294.

attention of the Turkmen officer. The officer also noticed that the heel of one of the shoes was longer than the other. He brought the man to Saladin. When the shoes were removed, a letter was found in the heel. The letter was written by a Jewish scribe. The Jewish scribe gave the name of Cevher.

Saladin's intelligence, after discovering the plan, followed Cevher, and when they heard that he was going to a village near Cairo, they captured and neutralized him alone (1169).[21] This intelligence operation enabled Saladin to eliminate a dangerous opponent with the ability to cooperate with the outside at very low cost, while at the same time achieving victory over foreign powers.

In those days, the naval intelligence that Saladin commissioned off the Mediterranean Sea coincided with the Byzantine ships heading towards Egypt. The Crusaders and Byzantium were coming to besiege Damietta, unaware that the opponents who would support them in Egypt were eliminated. When Saladin heard of the siege attempt and took precautions, the Byzantine-Crusader alliance suffered a historical defeat and Saladin won one of the great victories of history in a very early period. This victory not only frightened his external enemies, but also neutralized his internal enemies.

After this great success, in which the Fatimid caliphate was not abolished yet, intelligence showed great success after the abolition of the said caliphate.

With the abolition of the Fatimid caliphate, the Shiite groups, whose positions were shaken and their interests were damaged, and the Nizari / Hashishite units in Damascus had previously received economic aid from the Fatimids. Some Sunni personalities, such as the famous poet Ammare bin Ali al-Yemeni, even established a broad opposition front that included a enchanted woman in Alexandria, and began to communicate with the Crusaders.

Ambassadors have been going back and forth between Muslims and Crusaders for different reasons. Saladin pretended to leave the Crusader envoy who came to him alone and had him followed closely. Eventually, he found that they had been meeting with some people in Egypt. When he followed them, the mentioned opposition front was exposed. However, instead of intervening immediately, Saladin chose to get some names in the opposition and started an operation to collapse the opposition, which met from different views, by saying "*The invitation*

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[21] Bündârî, p. 43-44; İbnü'l-Esîr, *el-Kâmil*, vol. 10, p. 18-19; p. Şeşen, p. 44-45.

is the same invitation, the unity is the same unity". He prevented a historic revolt in Egypt by executing the leaders of the group (April 6, 1174). Some soldiers who cooperated with the rebels had prepared an assassination against Saladin. In the words of Ibn al-Athir, Saladin did not make them sense, even though he knew that they were in rebellion.[22]Because he needed soldiers, and once the instigators of the rebellion were captured, they were deemed harmless. Saladin's self-control in such situations is admirable.

The rebels also cooperated with the Crusaders. While they rebelled, the Crusaders of Sicily would attack Alexandria together with the Crusaders in the Eastern Mediterranean. The Sicilian Crusaders were disappointed when they came before Alexandria. They left all their possessions and many corpses in front of Alexandria and fled to the Mediterranean with a small number of ships (August 1174). Because their allies, the rebels, were executed, and the Crusaders settled in the Eastern Mediterranean, who heard about the events in Egypt, hesitated to take action.[23]

According to Ibn Vasil, who detailed this rebellion attempt, which included the assassination plan against Saladin, also he even benefited from Christian informers in revealing the network of relations involving the Crusaders.[24]

After these capital revolts in Egypt, in August 1174, an Egyptian amir named Kenzuddevle revolted around Asvân, Kûs and Tawd in the Said region. Although the rebellion took place outside the capital, it was started by those who moved away from the capital and were forgiven from previous rebellions.

Shams ad-Din Turanshah, the brother of Saladin, launched a raid on the Bedouins in Upper Egypt (es-Saîdü'l-a'la) in 1171. Bedouins were disturbing the people by looting until that day. After the raid, they gave up this habit.[25]Qadi al-Fadil, who was the head of Saladin's council in Egypt, described the Bedouins as "*snakes in the bosom*", accused them of collaborating with the Crusaders and of not serving by taking money from the state unjustly; he proposed a style of struggle against them, which he described as "*sweetening the bitter apple with fresh water*".[26]With this method, Saladin is like the first Muslim statesman after the Umayyads, who

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[22] İbnü'l-Esîr, *el-Kâmil*, vol. 10, p. 53-55; Ebû Şâme, vol. 2, p. 186-195.
[23] İbnü'l-Esîr, *el-Kâmil*, vol. 10, p. 55, 63-64; Saladin also informed the Abbasid Caliph, from the pen of Qadi al-Fadil, about the Sicilians' intent on Alexandria and the previous process (Mualli Abdulselam Halebî, *Reasilu'l-Kâdî el-Fâzıles-Siyasiyetti Ahdi Selâhaddin-i Eyyûbî (1169-1193)*, (Unpublished Master Thesis, Islamic University of Gaza, Faculty of Literature, Department of History, 2013, p. 124-125).
[24] İbn Vâsıl, vol. 1, p. 243-251.
[25] İbnü'l-Esîr, *el-Kâmil*, vol. 10, p. 32; Ebû Şâme, vol. 2, p. 118.
[26] Lyons and Jackson, p. 195.

led the Bedouins in line with the goals of the Muslim community and involved them in the fight against the external enemy. The foundations laid with this synthesis attitude of Saladin yielded results, especially in the period of his brother Melikü'l-Âdil and his nephew Melikü'l-Kâmil, and the Bedouins, who were seen as a problem until that day, turned into an important unit of the Islamic army.

Some Egyptians, Blacks and Bedouins gathered around Kenzuddevle massacred the brother of the Emir named Ebü'l-Heyca es-Semin, one of the most important commanders of Saladin. The rebels also resisted the army that came upon them under the command of Ebü'l-Heyca. But Saladin had a great experience in public order. As a result, the rebellion was suppressed with the measures taken by his brother Melikü'l-Âdil and those who led the rebellion were executed.[27]Thus, six years after Saladin seized power in Egypt, the rebellion process came to an end. After this rebellion, Saladin did not have to execute any emir.

4.4.Establishment of the Communication (Postal) Services

Saladin established a fast postal service in Egypt, which also used homing pigeons. During the siege of Damietta by Byzantium and Crusaders, he could not yet leave Cairo for security concerns. But thanks to the postal service, he was able to manage the war and ended it with victory.

When Saladin left Egypt after 1174, he was able to get news from Egypt quickly thanks to the postal service and was able to intervene in the events in the country. Thus, the postal service made an important contribution to public order by providing constant communication both within Egypt and between Egypt and other parts of the country.[28]

4.5.Gaining Community Support

Nureddin, in Damascus, was satisfied economically and in terms of justice, his sense of belonging was strengthened, he accepted the goals of the state with his educational activities and agreed to volunteer for those goals, and built a society integrated with the state. One of the main factors that made Nureddin's state strong was the social structure he built.

Saladin aimed to build a society in Egypt in the same direction. In this context, it embarked on a series of economic, judicial and educational exercises.

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[27] İbnü'l-Esîr, *el-Kâmil*, vol. 10, p. 64-65; Ebû Şâme, vol. 2, p. 221-222.
[28] Şeşen, p. 252-253.

Saladin distributed all the goods in the Fatimid palace, including the most expensive jewellery, as it was, without taking anything for himself.[29]Thus, he prevented the people's criticism of the debauchery in the palace from being directed at him. However, he completely canceled the taxes called mukûs, which were very difficult for the people and not defined in Islamic law, including for the pilgrims passing through the country.[30] He revived the zakat system instead of taxes, [31]and collected zakat under the control of the state, as in the Age of Bliss. A large part of the society gave zakat voluntarily and took measures against those who abstained from it. He distributed the zakat revenues as specified in Islamic law. While finding the opportunity to distribute aid to the poor people with that income, he also found resources for the education and defense expenses of the state.[32]In my opinion, these economic measures have the most important share in ensuring security in Egypt.

Saladin dismissed the Shiite judges in the judiciary; He established the Presidency system by integrating legal procedures and appointed Qadi Dırbas, "*known for avoiding bribery and banquets*", as the head of all Egyptian judges.[33]As in Damascus, he established the Courts of Atrocities. He personally presided over those courts two days a week. He listened to the complaints of the people and protected the common people against the administration.[34]

Saladin's educational activities should be considered quite multifaceted. Two years after Saladin seized power (1177), he transformed the country's largest dungeon and torture chamber, Dar al-Maune, for the Shafiis; One of the most important entertainment mansions, Darü'l-Gazel with a view of the Nile, was transformed into a madrasah by his nephew, Takiyüddin Ömer. These are the first madrasas of the Ahl as-Sunnah, which formed the core of the Muslim identity in Egypt.[35]

Saladin brought Sufi lodges, which became very common in Damascus, to Egypt. He established the office of Şeyhü'ş-şüyûh (Sheikh of Sheikhs) so that these dervish lodges, which

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[29] İbnü'l-Esîr, *el-Kâmil*, vol. 10, p. 34; İbn Kesîr, vol. 12, p. 247-248.
[30] Ebû Şâme, vol. 2, p. 151-152, 298; Lyons and Jackson, p. 70-71.
[31] Makrîzî, *İttiʿâz* , vol. 1, p. 108, İbn Cübeyr, p. 13-14, Lyons and Jackson, p. 71.
[32] Şeşen, p. 319-322.
[33] İbnü'l-Esîr, *el-Kâmil*, vol. 10, p. 31-32; İbn Kesîr, vol. 12, p. 45; Lyons and Jackson, p. 61.
[34] İbn Şâhinşâh, Muhammed bin Takiyüddin Ömer bin Şâhinşâh el-Eyyûbî, *Muzmarü'l-Hakaik and Sırrü'l-Halâîk*, Hasan Habeşî, Cairo: Alemü'l-Kitab, Hijri 1401, p. 53; Şeşen, p. 266-273.
[35] İbnü'l-Esîr, *el-Kâmil*, vol. 10, p. 31-32; Ebû Şâme, vol. 2, p. 117-118; Şeşen, p. 390-404.

also served as a bridge between the state and society, did not act on their own and turn into institutions that would disrupt the order, and affiliated all the khankahs to Şeyhü'ş-şüyûh.[36]

While Saladin was personally interested in the education of the Qur'an[37], he also expanded the education of hadith, and benefited from the sermons in the mosques in the education of the society.

With these activities of his, the Egyptian society always stood by him, and the country of Egypt[38], which Ibn Jubayr admired, turned into a reliable and solid fortress for him. Saladin realized all his conquests by turning his back to that strong castle.

4.6. Strict Precautions by Karakus

Despite all the precautions, Saladin intervened with the dexterity of the police, called shurta, against those who were against the law. In this context, the strict precautions of Karakuş, who is responsible for public order, led to the reaction of those who previously lived in their own kind of autonomous world within anarchism, and caused ruthless satire in the language of poets against Saladin and his staff.[39]Karakuş has been the subject of a sharp humor through satirical masters, and even the expression "Rule of Karakuş" was born in this humor. Ibn Memmâtî, whose father was in the service of Fatimid and himself in Saladin's divan, even wrote a humorous work called "*Kitâbü'l-Fâşûş fî aḥkâmi Ḳaraḳūş*", but Saladin left Karakuş, who completed the order in Egypt, in his post.[40]

4.7. Intervening Interest Groups

Saladin was the last to intervene in interest groups that were not closely related to politics and contributed to the economy of the state with his taxes, while living a life of debauchery with non-Muslim minorities in his own mansions. The intervention was carried out by Qadi al-Fadil himself, but by his brother Adil, after these groups had fasted openly during Ramadan and revealed their moral devotion while he was in Damascus. The mansions of these groups, which caused the public's reaction, were taken from them and given to the public service.[41]

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[36] Maqrizi, *el-Mevâ'iz ve'l-i'tibâr bi-zikri'l-hıtat ve'l-âsâr*, Beirut: Dâru Sâdr, Hijri 1370, vol. 3, p. 570-571; Kalkaşendî, vol. 4, p. 193, vol. 11, p. 370.
[37] İbn Cübeyr, p. 28.
[38] İbn Cübeyr, p. 13-43.
[39] Lyons and Jackson, p. 151.
[40] For the book, see İbnü'l-Memmâtî, *el-Fâşûş fî ahkâmi Karakuş li İbn Memmâtî*, Muntedeyâtu Mecelleti'l-İbtisâme, www.ibtesama.com/vb, see also Abdullatif Hamza, *Hükmü Karakuş*, Cairo: Mustafa al-Babî al-Halebi, 2000.
[41] Lyons and Jackson, p. 414-415.

4.8.Meticulous Registration System

Saladin established a meticulous divan system led by Qadi al-Fadil in Egypt and all activities in the country were recorded. So much so that the burial of the deceased was not allowed without examining the records of the deceased, keeping the death record, examining whether the debts were paid, determining the assets and assessing the status of the inheritance.[42]

4.9.Making the Country's Environment Reliable

Saladin realized that the peace of Egypt depends on preventing the interventions from the environment and took a series of precautions in this context.

Serefüddin Karakuş (d. 1212), the mamluk of Taqi ad-Din Omar, was assigned to provide security in the west of the country and to supply Egypt with grain against famine; with the activities of Karakuş, the borders of the state extended to the western borders of today's Libya.[43]

Some of the Blacks who fled after the uprisings took refuge in the Sudan (the country of Nubia). The propagandists of the Fatimids, called dai, continued to work in Yemen.

His brother Turan Shah first organized an expedition to Nubia (1173); [44] thus, while securing the country in the south, he immediately turned to Hejaz and Yemen (1174) and established dominance in both geographies and completely eliminated the elements and opportunities that would revive the Fatimid State.[45]

Saladin also attached great importance to the coast guard, in a country where even being called a "sailor" was insulted in Egypt before him; [46]He revived the navy in line with the will of his uncle Shirkuh, and by producing portable ships that could be loaded on the backs of camels in pieces, he had the opportunity to intervene quickly, [47]especially in the Red Sea. Its great navy was also navigating in the Mediterranean and eliminated the threats to the country from Europe and Byzantium.[48]

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[42] Lyons and Jackson, p. 75.
[43] İbn Şahinşah, p. 53-57; Ebû Şâme, vol. 2, p. 175-176.
[44] İbnü'l-Esîr, vol. 9, p. 45-46; Ebû Şâme, vol. 2, p. 161-162.
[45] İbnü'l-Esîr, vol. 9, p. 52-53.
[46] Lyons and Jackson, p. 146.
[47] İbnü'l-Esîr, *el-Kâmil*, vol. 10, p. 31.
[48] Nebi Bozkurt, "Tersane", *DİA*, Istanbul: TDV Yayınları, 2011, vol. 40, pp. 511-513; Nebi Bozkurt, "Bahriye", DİA, İstanbul: TDV Yayınları, 1994, vol. 4, pp. 495-501.

With this achievement of environmental security of Saladin, Egypt has turned into an island of peace and security, free from external threats as well as internal threats. Thus, Egypt grew economically and in terms of population, feeding Saladin's struggle against the Crusaders.

5. Conclusion and Evaluation

Saladin dominated Egypt in a chaotic environment where the conflict between the powers that made up the state spread to the whole country, but in the end, in a period of five or six years, he restored both the capital and the provinces to full security.

The fact that Egypt became a safe island with his activities enabled Saladin to stay away from his capital for a long time and concentrate on conquests. Therefore, it is not an exaggeration to say that the inner peace has led to conquests abroad.

The importance of Saladin's public order policy in terms of his successor is that it is clear and understandable.

Undoubtedly, Saladin's ability to form such an exemplary public order policy is not independent of a general strategy that covers all areas. This strategy has formed an integrated structure in which each unit contributes to the others and at the same time complements them and performs their function better, where the state and society integrate in line with the same goals and move towards those goals in solidarity and harmony. Therefore, Saladin's public order policy was shaped to move towards the goals determined by the state in harmony and solidarity with the security staff, security measures and intelligence, as well as justice institutions, scientific structures and civil society.

In this context, it is possible to express his security policy practices as follows:

a. The staff of the state were formed and a reliable common area was created for them.

b. Practices that will resolve the society's complaints about state institutions and meet their expectations have been determined and implemented pertinaciously. While establishing an active consultation structure, the unwise objections of people who are used to satire and tend to maintain their old habits were not taken into account in terms of the state's strategy.

c. The units that caused the deterioration of public order were first cleaned in the capital, the capital was turned into a safe area, and then the residues of those units causing problems in the countryside were followed and eliminated. However, in these cleaning and elimination practices, it was also tried to ignore the actions of those who could be

taken into the service of the state, and to recruit people who strengthened the rebels into the state service.

d. While these measures were being taken, it was focused on not to frighten those who fed the state economically and established a peculiar and extravagant lifestyle, and they were dealt with after the security measures were completed.

e. In the last stage, conquests were made to prevent the rebels from gathering in the surrounding countries, so that the country and the capital remained away from the threats that would worry the Sultan during his campaign.

f. While a meticulous registration system and strong intelligence reduced the cost of public order operations in the short term, it also had long-term results such as disappointing and destabilizing opponents and external enemies.

g. The main factors behind the permanent effects of the security measures are the planning of the security policy within the general strategy of the state. With this planning, once the order was established, educational institutions, sermons and Islamic mysticism institutions made the society conscious, the justice mechanism and financial system prevented the abuse of the society's complaints by the opponents, the struggle against the Crusaders and foreign conquests ensured that the energy of the society was discharged; It has been instrumental in a calm and fruitful action that confers peace in the society.

h. Against the people and communities who are prone to crime, which continue to threaten this peace-giving environment of calm and productive action, very strict security measures have been taken within the framework of the law, and the "excellent security" picture has been completed with these measures.

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THE ESTABLISHMENT OF INSTITUTIONS IN THE OTTOMAN EMPIRE AND THE PROTECTION OF THE CONSUMERS AND PRODUCERS: LESSON FOR THE PRESENT TIME

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Abstract

The advancement of the Ottoman Empire by conquering more land and progressing economically was unprecedented. Geographical expansion and economic progress at the same time are difficult even in today's modern era. Our focus in this research paper is on the establishment of different institutions (Financial & religious institution development), and their benefits and protections for the consumer. We will see the combination of a religious and financial institution in the Ottoman Empire and will evaluate how we can implement those traits and strategies to achieve economic progress in today's world with great harmony. The Ahilik leading guild system, Cash Waqf model, Timar system and Esham, etc. of the Ottomans contributed significantly to the uplifting of the society. During the Ottoman reign, strong institutions and their effective functioning were responsible for economic development and socioeconomic balance. In terms of time, effort, living sacrifices, economy, and rights, modern consumer rights protection laws and measures have come at a high cost to humanity. If the world had relied on the Ottoman Empire's faultless consumer protection laws, this price could have been avoided. While the West was beginning to recognize that consumers have rights after decades of conflict between consumer and supplier movements in the nineteenth century, the Ottoman citizen was already enjoying his consumer rights, which had been recognized and protected under Islamic Shari'ah since the Quran's revelation in the seventh century. In this paper, we compare traditional and modern consumer protection measures, as well as characteristics and measures from the Ottoman consumer protection system that can be applied to modern consumer protection. The most important lesson learned is the importance of instilling a spirit of brotherhood among consumers and producers, as well as shifting our focus from maximizing our individualistic benefit to maximizing society and the planet's benefit. In order to achieve this efficiently, the Ottomans encouraged collaboration between the three parties involved in this equation: the consumer, the supplier, and the government. We will

suggest a lesson learned from Ottoman consumer protection regulations and practices at the end of the paper.

1. Introduction

1.1. Historical Background and Development (1300-1900)

The Ottoman Empire was for almost 800 years from 1299-to 1923. Their economy was based on domestic and international trade, agricultural production, transportation tariffs, and duties on their trade routes to neighboring countries. They had spiritual guidelines from the Shari'ah scholar during the entire reign. The best thing was that they conquered both land and important sea harbors which really helped them in their economic connection with the surrounding countries in the region. They were expanding their armed forces and their conventional artilleries along with conquering more and more lands. Due to military expansion, they needed more money from their sources of trade, tariffs, and agricultural production. In 1453 Conquering Constantinople was a big achievement in Muslim history and it was considered a major success.

The major trade routes were under the control of the ottomans who levied taxes and tariffs on the merchants using those routes between Europe and Asia.

Ottoman Empire from its origins until 1683, Q. Donald (2005), narrated that "The era from 1300 until the later seventeenth century saw the remarkable expansion of the Ottoman state from a tiny, scarcely visible, chiefdom to an empire with vast territories. These dominions stretched from the Arabian Peninsula and the cataracts of the Nile in the south to Basra near the Persian Gulf and the Iranian plateau in the east, along the North African coast nearly to Gibraltar in the west, and to the Ukrainian steppe and the walls of Vienna in the north. The period begins with an Ottoman dot on the map and ends with a world empire and its dominions along with the Black, Aegean, Mediterranean, Caspian, and Red Seas".

According to S. Pamuk (2004), "The Ottomans' success in western Anatolia and later in the Balkans during the fourteenth and fifteenth centuries owed much to their willingness and ability to adapt to changing conditions, to utilize talent and accept allegiance from many sources, and to make many-sided appeals for support. They were thus able to attract many followers, not

only as warriors fighting against the Christians but also Muslims and Christians fighting for the riches to be gained".

The Ottomans were at the border of two big empires i.e., the Persian and Byzantine empires.

Instead of wasting their energy engaged in the war against Muslims, these Ottoman Turks focused on conquering non-Muslim land, e.g., Europe.

The Ottoman reign is divided into three categories:

- Gaza reign – The Expansion – 1299-1585
- Consolidation period – 1585-1750
- Transformation period – 1750-1923

We will focus in this research paper on the consolidation and transformation period.

1.1. The Ottoman Empire and Consumer Protection System

The Ottoman Empire's consumer protection applications are based on the Quran and Sunnah. Consumer protection principles in Islam cover a wide range of topics, including standard weighs and measurement tools, fraud prevention, interest and gambling prevention, uncertainty in sale or product description prevention, hoarding prevention, price manipulation prevention, and the right to return defective goods (Khiyar al Aib), and the obligation to clearly describe product defects before selling them. Furthermore, Islam emphasizes the importance of the principle of brotherhood, in which Muslims recognize their obligations to society in general and to one another in particular. (Karim, 2014)

The Ottoman Empire, as the heir of Islamic civilization, was successful in protecting the rights of both consumers and suppliers by utilizing many classical institutions and improving them to meet the needs of the time. The guilds and Hisbah systems are the most important institutions in this regard. Both have their origins in the brotherhood system (AHILIK). The guild system was well-governed to ensure the quality of the final product was achieved by controlling the quality of the manufacturing and production process, thus representing the Total Quality Management system in our time. The Hisbah system was implemented to ensure that final products met the standards that had already been established and agreed upon by the producer, consumer, and government.

1.2. The Ottoman Empire and the Consumer Rights

1. The right to find goods all the time: this was achieved by taking measures against hoarding and by closely monitoring the demand of the society by the Ahilik organization in the classical paradigm to the modern era.

2. The right to have safe and quality goods and services: achieved under the Ihtisab and Ahilik organizations. The Ahilik and Hisba system contributed a lot to the just production and providing the best products and services to the consumers.

3. The right to be provided with needed information about the product before purchasing: Sellers are obliged to inform the buyer about the unseen characteristics of the product before buying it which is one of the attributes taken from the Islamic fiqh maxims. This right is contrary to the general rule under the western principle *"caveat emptor",* of placing the burden of proof regarding the hidden defects in the item over the consumer after he inspected it. The western system is based on the maximization of earnings at the cost of any loss to other human beings.

4. The right to buy goods at affordable and just prices: achieved under the prevention of hoarding as well as the Narh (pricing) institutions.

5. The right to pay for a real value in the product: whenever there is a difference in prices between more than one choice of the same product, the increase of the price must be reflected as a real value in that specific choice. Real values can include higher quality, or more durability with longer life expectancy, but excludes unreal values such as the price of the brand.

6. The right to return defective product (Khiyar al-Aib): Sellers were obliged to accept the return of defective items, otherwise, they will face punishments including defaming and business closure.

7. The right to be protected from fraudulent transactions: this can be seen in the strict inspections of selling tools and transactions including weights and measures in the market or deceiving financial contracts.

8. The right to be protected from Interest (Riba) and Gambling: Ihtisab organization has taken care of these issues.

2. The Institutions Developed by the Ottomans

The major institutions developed in the Ottoman Empire are, Akhuwah-Ahilik -Transformed to The Guild System-, Hisbah, Esham, Malikane System, Timar System, Iltizam, Banking System,

Cash Waqf System, The Ottomans Public Debt Administration (OPDT), Tanzimaat-Reforms. We are discussing in detail the key institutions and their impacts on the consumer's protection.

2.1. The Brotherhood Order Organization (Ahilik)

The word Ahi comes from the Arabic word of Akhi (أخي) which means "my brother". According to the online dictionary of the Turkish Language institute, the word Ahilik means "Generous" (Türk Dil Kurumu, n.d.). The Ahilik organization can be expressed as a system that combines ethic and art, production and trade and aims at establishing strong and collaborative win-win relations between the rich and poor, the consumer and the producer, the state, and the citizens, to ensure prosperity and justice for all (Karagül, 2011). Ahilik is thought to have been coming from the "Fütüvvet" or (Scouts) organization that was originally created by the Ismaili Batini Shiite movement during the Fatimi dynasty control of Egypt and their need to establish a semi-military organization that can take the role of protecting themselves against Muslim armies' attacks (Karagül, 2011) . Although the first "Fütüvvet" and Ahilik organization under the Ismaili Shiite had destructive aims over the Muslim world, their structure and practices of tightening the relationship between its members and their Sheikh was borrowed by the Seljuks and the motives and aims were shifted to serve the society instead of destroying it. During the Seljuk and Ottoman times, Ahilik Organization was used successfully to influence society in all its areas including arts, trade as well as economy, and it lasted for around 630 years until the 18ᵗʰ century. The Fütüvvetnâme books were orders that included a code of conduct, personal manners, and directions about how to behave in the community (Karagül, 2011).

When looking at the Ahilik Organization's functions from an economic perspective and comparing it with the contemporary equivalent organizations of today, it can be seen as the peer of many numbers of institutions, including the following:

Table 1. Ahilik Functions Represented in Today's Organizations (Karagül, 2011)

Today's Organizations	Similar Function with Ahilik
Chambers of Industry and Commerce	Solving the Common Issues of the Industrialists and Tradesmen
Worker and Employer Syndicates	Regulate the Relations of the Workers and Employer
Competition Board	To Prevent Monopolization

Today's Organizations	Similar Function with Ahilik
Commodity and Service Standards Institutions	Inspect the Qualities of the Commodities and Services
Consumer Protection Institutions	Consumer Rights Protection

In terms of consumer protection, Ahilik's impact began with the internal human ethics that govern the consumer-producer relationship. Furthermore, Ahilik played an important role in establishing the following principles and institutions in society to protect consumer rights:

1. The principle of Contentment: When conducting business, it is essential to consider the rights of others, including employees, partners, and customers, as well as to protect the environment and the planet.

2. The principle of Cooperation: Ottoman business owners used to distribute their extra incomes amongst the poor, the unemployed, and the ones who are in deep need. As a result, poverty, social conflict, crimes, etc. were reduced further with the help of this organization.

3. Product quality and standardization: Standardization has spread throughout the world to ensure that products are safe and of high quality. It is claimed that Western European countries introduced standardization during industrialization. This practice, however, can be found in Ottoman literature under the Ahilik system organization. This topic will be covered in greater depth under the Hisbah system.

4. Inspection and Total Quality Management Systems: Inspections of what is now known as Total Quality Management systems have long been a requirement under the Ahilik order. Under the authority of the Ahilik organization, every stage of the production and selling process is inspected by either government officials or tradesmen or masters of the concerned field.

The Order's main doctrine was consumer protection through qualified and low-cost production. In Ahilik, the economy was regarded as a tool and was never allowed to be an objective. Understanding of the logic of economy and management, which is focused on true humanity, was prevalent among humans. If making money was the primary goal in life, then those ethical values that were supposed to be the true goal became tools; this was incongruous with the way they lived.

2.1.1. Akhuwah - Ahilik to Guild System – Total Quality Management (TQM)

Total Quality Management (TQM) is a human-centered management concept based on the satisfaction of all shareholders, past and present. The TQM concept promotes teamwork over individual work and improves the system as a whole as it improves the workers within the system. It prefers zero error in its application, and its built-in mechanism is prone to preventing errors. Furthermore, by constantly interrogating itself, the system strives for perfection. Ahilik is a system capable of completing the infrastructure of the TQM concept or even going a step further. Ahilik is a human-centered system with activities planned for humans, and it does not allow humans to be viewed as its tools. (Karatop, 2011)

The guild system was more refined with great management and effectiveness. It is the best example of TQM, human-centered with great teamwork contributing commercially with the altruistic approach.

2.1.2. Cessation of Ahilik System

Because of various factors, the Ahilik Organization gradually lost its efficiency during the 17th and 19th centuries, forcing it to withdraw from society's life. Those factors have been summarized by Ekrem Erdem as follows (see (Karagül, 2011) who translated it into English from the original work of Ekrem Erdem "AHİLİK: Ahlakla Kalitenin Buluştuğu Bir Esnaf Teşkilatlanma Modeli", 2008 pp.89-93):

1. Because the Ahilik organization has a direct connection with the government, the general weakness of state institutions affected it directly.
2. The freedom to establish businesses outside the Ahilik organization's rules allowed independent migrants to establish businesses without receiving adequate education and training under the Ahilik order.
3. Foreign products replaced domestically produced ones as a result of increased capitulations granted to foreign merchants, resulting in low-priced and low-quality products that did not meet local quality standards.
4. Adoption of western commercial and financial institutions via the Islahat Firman was introduced in 1856 as a solution to solve political problems and provide needed resources to strengthen the Army following the Russian war of 1826-28.

2.2. HISBAH (Ihtisab) System

The word HISBAH is an Arabic word (حسبة) which literally means "Reward" or "verification". Technically, HISBAH is an institution that promotes proper and good conduct and to combats

all types of misdeeds or offenses (Ateş, 2017). The institution of Hisbah is an Islamic institution that is as old as the dawn of Islam and had been in practice since the time of the first Khalifa Abu Bakr. The function of HISBAH in the market consisted of maintaining the public law and supervise the interactions of buyers and sellers, as well as many other functions that are essential to the protection of consumers and ensuring their rights, are achieved, which includes the following:

1. Setting standards of product and services, as well as their production processes.
2. Testing final product quality to ensure they meet the standards.
3. Inspection of weights, scales, and sales practices to ensure that there is no deception.
4. Monitoring market prices to ensure they comply with the set limits.
5. Inspecting production tools and procedures as well as raw material qualities.
6. Testing the qualification of producers and service providers to ensure that they are qualified enough to do the needed job.
7. Monitoring the market to make sure that no stockpiling (IHTIKAR) practices are in place.
8. Enforcing the law and punishing the violators based on the evidence.

The Hisbah system reached new heights during the Ottoman Empire. At the beginning of the 16th century, Sultan Beyazid II directed the creation of a detailed Hisbah code of conduct and standards governing how Muhtasib should inspect the market, what standards should be present in the product, and what processes the production should go through.

Based on the orders of the Sultan, Mevlânâ Yaraluca Muhyiddin started developing the required law in 1502, and in 1507 the law of "KANUNNAME-I IHTISAB-I BURSA" was released and approved. It is believed that the 1507 First Consumer Protection, and product standards regulation, and the First environment protection law in history (ÖZDEMİR, 2017) . Hence, we can say that the ottoman standardization organization has preceded the ones in the west by four hundred years.

The Hisbah institution during the Ottoman Empire was equipped with professionals who are knowledgeable in every field of trade and service in the market, as well as Shariah laws of the highest caliber They also had significant responsibilities and authority to ensure that justice is served quickly and efficiently. The Judge and the police had more authority than the Hisbah professional (the Muhtasib). Muhtasibs had to go to the Judge many times to present big cases on the case and get the right action. In fact, Muhtasib had to maintain constant contact with judges, police, the government, and the Ahilik organization in order to protect consumers and

provide necessary information that could aid in the prevention of crimes that were beyond his jurisdiction.

2.3. Esham – A Game Changer Instrument

2.3.1. Model

The state/government authorities set aside an asset that generates a predictable annual revenue stream. The assets were owned and managed by the government, which only devotes a small percentage of its annual revenue to Esham Securitization. This revenue fraction is then securitized and sold to the general public in equal shares. Each share entitles the buyer, to a pro-rata basis of the assigned annual revenue. Because it was a fixed amount, so it was quite appealing to the investors (C. Murat, 2014).

There was no time limit on Esham shares. There are mainly two types of ESHAM in terms of duration: limited for a lifetime and perpetual. The investor who bought a sehm share keeps receiving his or her portion of the annual revenue for the rest of his or her life. In modern terminology, these are known as perpetual bonds or perpetual sukuk.

Esham organizes the incredible settlement for generating a fixed earning as well as the opportunity to liquidity in the investment sans friction with the interest forbidding. Esham should be respected as equity, not as debt. This is a very beneficial situation in regard to the gearing ratios of Basel III. Put differently, the issuer of Esham would be capable to sustain the capital base without worsen the debt/equity ratio (Murat, 2014)

The Unique selling point (USP) of ESHAM was that the below three things were avoided from Islamic Finance perspective;

- No consideration of Riba
- No Risk shifting but Risk Sharing
- Capability to move the Society to Al Ghazali and Shatibi optimum- Maqasid Al Sharia'h

As a part of the fiscal policy by the Ottoman Empire, ESHAM had mobilized low-cost funds from the public in a concise time. This instrument proved effective to raise a rapidly massive amount of money from the public, particularly by incorporating small and medium-sized lenders.

2.4. Waqf

It is a property given in the name of God. Waqf was institutionalized by the Abbasids. Ottoman Empire was the heir of the waqf tradition that already existed on its lands. Waqfs were

endowments whose beneficiaries were decided by the waqf founder and defined by a treatise (vakfiyye). Beneficiaries were not only Muslims. Waqfs served the society as a whole.

Muslim Waqfs fulfilled many responsibilities and services of modern states, and for this, they were largely able to alleviate the state's financial burden. For instance, waqfs assisted the poor & needy and provide for their various needs, continued to function throughout social unrests, and were also valuable to the establishment of socio-economic justice. Like many other Muslim communities, the Ottomans gave waqfs remarkable importance and instrumentalized them in the way of development and civilization building; that explains the naming of the Ottomans, 'the civilization of waqf. Towards the end of the 18th century, there were 20000 waqfs in the Ottoman Empire, which made up one third of the total economy. In addition to the traditional property-based waqfs, the Ottomans also introduced new forms of transferrable waqfs known as Cash Waqfs (M. Bulut,2020).

2.5.Cash Waqf

A waqf where cash is a capital. It was used in different Islamic modes to generate revenue and that revenue was utilized for basic necessities of the public i.e. education and health etc. It was an innovative model as before this only property were used as Waqf not cash.

One important provider of loans in Istanbul, the Balkans and the Anatolian urban centers were the cash vakifs, pious foundations established with the explicit purpose of lending their cash assets and using the interest income to fulfill their goals. These endowments began to be approved by the Ottoman courts in the early part of the fifteenth century and had become popular all over Anatolia and the Balkan provinces by the end of the sixteenth century. (Pamuk,2004).

It was used in Micro-credit mechanism as well. The surplus of these waqfs were transferred to the merchants, craftsman and other skilled people, so it was a recourse of transfer channel – money was changing hand from wealthy to poor and skilled class of the society. The revenue from Waqf is not going to the original owner rather used for charity purposes.

It is stated by B. Mehmet (2019) that "One of the waqf types operating in the Ottoman Empire was the cash waqfs (CWs) which hold cash money as capital. The CWs operated its capital with various Islamic finance methods. Revenues obtained from various investments were used for the purpose of waqf. The CWs met the vital necessities of the society pertaining to education and religion in the period they were active in the Ottoman Empire. Another function of these waqfs was to operate as a micro-credit mechanism. Through these waqfs, the surplus and the

accumulated savings in the hands of the wealthy people were made available to merchants, farmers, craftsmen, and artisans. Hence, these waqfs have served as resource transfer channels as well as functioning as a charity in the society".

2.6. Consumer and Producer Protection in the Ottomans History

There are three major laws mentioned in the literature which has a significant impact on society, consumers and producers.

- KANUNNAME-İ *İHTİSAB*-I BURSA
- KANUNNAME-İ *İHTİSAB*-I ISTANBUL
- KANUNNAME-İ *İHTİSAB*-I EDIRNE

2.6.1. The basic Elements of the consumer Protection are;

There are a few basic elements for the protection of the consumer. It consists of the regulations, and it is approved by the, that time Sultan. The elements are given below;

- Approved Regulation – Royal Decree/Farman of the Sultan
- Awareness of the masses – consumer and producer should know their rights and responsibilities.
- Monitoring – managing to oversee the market
- Implementation – Saza and Jaza system (Reward and punishment), a reward for those who do good (Amr bil ma'aruf) and avoid bad things/practices

2.6.2. Consumer Protection in the Ottoman's Era - Practices

1. First the Consumer Protection, First Standards regulation, and First environment protection law in history (ozdemir, 2017)
2. Developed between the years 1502-1507 by Mevlânâ Yaraluca Muhyiddin based on the orders of Sultan BAYEZID II
3. Following Ahilik principles
4. Products and Services Quality Assurance, not just control.
5. Covering all stages of production and sale from raw material till after-sales.
6. Use of product brands (metal products) to sustain the quality of the product.
7. NARH (Pricing): based on justice for producer and consumer.
8. Market monitoring by Muhtesib.
9. Penalties applied by Muhtasib but based on judge approval.

10. Penalties varied from defaming the producer and closing his shop, up to physical punishment.
11. Faulty products were replaced with new ones immediately.
12. Prevention of IHTIKAR (Stockpiling)

2.7. NARH (Pricing):

It was based on fairness for both producers and consumers. Pricing may be requested by both the producer and the consumer. Prices are determined by production costs, product quality, and guarantee period. For example, consumers knew how long to wear their shoes based on their price. If the shoes wear out prematurely, the money is returned to the customer. (Buket Karatop, 2011)

1. Pricing can be requested by both the producer and the consumer.
2. Prices are determined by production costs, product quality, and warranty period. Customers, for example, knew how long to wear their shoes based on their price. If the shoes wear out prematurely, the consumer receives a refund. (Karatop, 2011)

2.8. Hisba / İhtisab Functions

1. Monitoring and ensuring product quality to meet the standards.
2. Monitor and ensure market prices comply with the law.
3. Monitoring the scales and sales practices.
4. Ensuring Ezan and prayers are made on time and practiced.
5. Ensuring proper distance between men and women in the market.
6. Combating apparent Bida'at practices in the market.
7. TQM in the Guild system was a state-of-the-art process. In the modern world, we have ISO 9001, etc. for quality and standard. Ahilik work at a consumer protection institution. Guaranteeing the products, listening to the complaints, standards of insurance, etc., and also succeeded to institutionalize ethical values for the first time in the world (Karagül, 2011).

2.9. Findings

1. Price and quality control – Quality sustainability approach not grabbing the market with low-quality products
2. No exploitation of the customers – Proper complaint cell active to protect customers
3. No Hoarding of the edibles
4. Enabling the farmers by introducing system agriculture tax system

5. Enabling and empowering the small merchants by giving funds via Murabaha – Cash Waqf system

6. Sharing of the risk with the people rather than selling the risk – ESHAM system (Regular income to the sehm holders)

7. Helping the Poor and needy (No difference in Muslims and non-Muslims) via Waqf system and sadaqah

8. Interfaith harmony – Religious tolerance

9. System of Saza o Jaza (Reward and punishment system.

3. Lesson Learnt

1. Military expansion is the need of the hour but not at the cost of the economy. In Ottoman Empire, there were military expansion and also economic and social development. In today's Muslim world we can see two extremes, spending more of the budget on defense and no spending on development projects and social wellbeing. These two things (military expansion and economic development) should go parallel.

2. One of the best characteristics of the Ottoman Empire was the Centralized government. Political and economic demarche was from a single chain of command. Now we can see the decentralization of the govt. and provinces having authority to decide and micromanaged the institutions in their territory. This can affect and harm the govt. in the center and it can further lead to no or less standardization in policies and procedures and weak controls.

3. Geographical expansion and public unity were the characteristics of the Ottoman Empire. The ottomans help the poor and destitute in areas they captured regardless of their religion. The reason for the capturing was not devastation but rather helping the people and improving their social life. A lesson to be learned from this very phenomenon.

4. Charities should be collected by the state in an organized way with a proper strategy of distribution. The Ottomans had a state of the art institutions working for Waqf collection and distribution. The Muslim countries should have a proper institution for Awqaf work under the govt. supervision to avoid any mismanagement.

5. Trade ties with the neighboring region were strengthened in Ottoman Empire. This is one of the main characteristics of the Ottoman Empire that they had good economic and trade ties with Europe and Africa. The economy without foreign trade can't survive these days. These days Countries are suffering because of enmity with neighboring

countries and no trade between them. They should have economic and trade ties which can help improve their economy.

6. Making the people responsible like in the Timar system and making them owner and earner for the family to support. Justice (Adl), Balance (Musawat), religious harmony, provisionalization by providing sustenance to people and, fiscalization by a centralized approach to revenue and expenditure.

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STATUS OF WOMEN AND THEIR SOCIO-ECONOMIC AND INTERNAL SECURITY CONTRIBUTION DURING OTTOMAN PERIOD

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Abstract

The Ottoman Empire was one of history's most long-lived empires. It lasted for more than 600 years. The Ottoman Empire, at its peak, was Europe's, Africa's, and Western Asia's most remarkable ruling entity, encompassing a diverse variety of cultures, religions, and languages. Despite these contrasts, from 1299 through 1922, the empire thrived. Most of the Ottoman state's life affairs, security and economic and social activities were based on Islamic principles, rich in brotherhood, humanity, and ethics. So, can a state with Islamic principles deprive its women of society or it will give more rights than other political systems? There was little research on the role of women in Ottoman society until the 1970s. In the Ottoman Empire, women were often portrayed in the Harem, and this framework was repeatedly used to explain their lives. But the reality is much different. It is clear from the Ottoman archives that Ottoman women made a significant socio-economic contribution to their families, communities and the state as well as contributed in internal security of the state by their involvement in security and intelligence. They also held the right to inheritance. Several instances illustrate that women in Anatolia were involved in trading and operating businesses. These illustrations prove that the Ottoman women were not deprived of justice and freedom, which is why they were freely able to contribute to society and state in all aspects. Apart from contribution to agriculture, animal husbandry, home economics, and textile production, the Ottoman women have made a noteworthy contribution to internal security directly or indirectly.

This study highlights the importance of Ottoman women in social, economic, and interior security. It investigates the issues of women's property rights, the rights of inheritance, commerce, and participation in state and regional security and intelligence by referring to current research and literature.

Key Words: Ottoman Women, Socio-Economic, Women's Status, Internal Security.

1. Introduction

There is a great role of women in history. In Islam, women have been given dignity, including personal, social, and economic rights. A woman has been given such a place in Islam that she becomes a way to Jannah for different people in their various stages of life. When she is born, she opens doors for Jannah for her parents (Al-Adab Al-Mufrad, Book 4, Hadith 2). When she marries, she completes half the Deen (religion) of her husband (Mishkat al-Masabih, Book 13, Hadith 17), and when she becomes a mother, there is Jannah beneath her feet for her children (Sunan an-Nasa'I, Book 25, Hadith 20). As per records, 85% of Ottoman law was based on Shariah, taken from the Qur'an and the sunnah, and codified in fiqh texts. According to the Ottoman archives, Shariah rules were used to create personal, family, and international laws and other branches of private law, as well as all public law procedures, 80 per cent of penal law and most financial law, and general principles of international law, administrative and constitutional law (Akgunduz and Ahmet, 2022). That evidence of the legal system, which includes 85% of Shariah, is enough evidence to understand the status and treatment of women in the Ottoman empire.

In Islam, women are not prohibited from participating in economic and social activities and security and other activities if they choose to participate. Women are allowed to take part in defence and intelligence as per their capacity and willingness. In the ottoman time, due to Islamic laws and influence, there was proper consideration for care and respect for human beings as well as for animals and all other creatures of Allah. Women were not given hard work like commerce or earning duties due to care and respect, not due to holding of women's rights; instead, they were doing it as a choice which means women were free to contribute in any aspect of life, but they were not compelled to do so. The majority of Ottoman women were granted privileges that were uncommon for women in the rest of Europe until the 19th century. These rights allowed Ottoman women to engage in the legal system, buy and sell property, inherit and transfer wealth, and participate in other financial dealings, including marriage and divorce (Zilfi, 1997).

Islam gave all rights and dignity to women 1400 years ago. Islam came to uphold women's rights and elevate their standing in society, among which a few are mentioned below.

2. Right to be honoured and treated with respect:

A woman's position in Islam is respected. It is important to note that both the Quran and prophetic traditions value honouring women as mothers, wives, and daughters.

- **As Mother:** Abu Huraira reported that a person said: "Allah's Messenger (PBUH), who amongst the people is most deserving of my good treatment? He said: Your mother, again your mother, again your mother, then your father, then your nearest relatives according to the order" *(Sahih Muslim, Book 45, Hadith 2).*

- **As Wife:** "Messenger of Allah (PBUH) said, "The most perfect man in his faith among the believers is the one whose behavior is most excellent; and the best of you are those who are the best to their wives." *(Riyad as-Salihin, Introduction, Hadith 627).*

- **As daughter and sister:** The Messenger of Allah said: "Whoever has three daughters, or three sisters, or two daughters, or two sisters and he keeps good company with them and fears Allah regarding them, then Paradise is for him" *(Jami` at-Tirmidh, Book 27, Hadith 22).*

3. Right to seek knowledge and education

The Prophet Muhammad (Peace be upon him) emphasized the importance of a woman's ability to study and comprehend the Quran and Sunnah. Still, he also urged women to use their inherent skills to pursue knowledge in other areas that may benefit society. Many distinguished Muslim women have served as teachers, doctors, and scientists throughout Islamic history.

"Seeking knowledge is a duty upon every Muslim, and he who imparts knowledge to those who do not deserve it, is like one who puts a necklace of jewels, pearls, and gold around the neck of swines" *(Sunan Ibn Majah, Introduction, Hadith 224).*

4. Right to equal justice

In Islam, women have the same rights as males regarding religious practices such as prayer, fasting, and charitable giving.

"Surely Muslim men and women, believing men and women, devout men and women, truthful men and women, patient men and women, humble men and women, charitable men and women, fasting men and women, men and women who guard their chastity, and men and women who

remember Allah often—for them Allah has prepared forgiveness and a great reward" *(Al Quran 33:35).*

5. Right to economic self-sufficiency

The Muslim woman has the right to work, own property, engage in legal contracts, and manage her assets and finances as she sees fit. So she has a right to an inheritance and may use it as she wishes. A man must still spend on and provide for his wife regardless of her financial situation.

"And do not crave what Allah has given some of you over others. Men will be rewarded according to their deeds and women according to theirs. Rather, ask Allah for His bounties. Surely Allah has knowledge of all things" *(Al Quran 4:32).*

6. Right to choose a spouse:

In Islam, a woman has the freedom to select her spouse and to retain her original name after marriage. She is free to accept or reject marriage offers or voice her own opinion about them. It is against Islamic law to enter into a forced marriage.

"And of His signs is that He created for you from yourselves mates that you may find tranquillity in them; and He placed between you affection and mercy. Indeed in that are signs for a people who give thought" *(Al Quran 30:21).*

7. Pre-Modern Ottoman Legal System and Women's Rights
7.1. Legal System

The Ottoman Empire's legal system was based on Islamic law, but it was shaped by the unique circumstances of such a vast territory. In the first place, the Ottoman rulers retained an area of imperial law distinct from Islamic law, although this was considered legitimate. Second, the Ottoman state enabled religious minorities to judge themselves on matters of spiritual practice and intra-communal disagreement using the Millet system. Religious minority practices and beliefs were respected in several areas of legislation relating to family and inheritance (Akgunduz and Ahmet, 2022).

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Ottoman law may be split into two groups based on the source of the legal authority. The first is Divine authority, as revealed in the Shariah. Second, there is the ruler's authority (al-amr), whom God has ordered the Muslims to follow.

7.2.Shariah Law

Derived from the Qur'an and the sunnah and organized in books of fiqh. The legal system was 85% based on shariah. The Ottoman archives show that Shariah rules were used to create personal, family, inheritance, international laws, commodity, commercial, and other branches of private law, as well as all public law procedures, 80% of penal law, most financial law, and general principles of international law, administrative, and constitutional law, as well as all financial law (Akgunduz and Ahmet, 2022).

7.3.Al Urf and Qiyas

Shariah's limited legislative discretion and jurisprudential decisions based on secondary sources like tradition and the public interest were the foundations for this system of financial law, land law, discretionary punishments, and military and administrative law structures. All of these were deemed to be under the umbrella of *al-siyasa al-shariah* (the public law,) qanun (Legal Code), and its codification in *Qanunnama, urf'huq'q* (customary law), and the like. Because they could not go beyond Shariah's bounds, they should not be considered a separate legal system from Islamic law (Bashir & Imran, 2012; Akgunduz and Ahmet, 2022).

7.4. Privileges for Women in Pre-modern Ottoman Empire

Women of Ottoman descent have a rich and diverse past hidden under the cover. Women represented from Anatolia, Greece, the Balkan Peninsula, North Africa, and Western Asia, as well as Christians, Jews, and Muslims, witnessed the long history of the Ottoman Empire, from the thirteenth to the early twentieth century. Until the late 1970s, almost negligible had been published on Ottoman women, making this a relatively new field of study.

It wasn't until the 14th century that the Ottoman Empire was born out of the several Turkic tribes competing for power in the Near East. As the Ottomans became prominent, the role and position of women in society also changed. Women in tribal times performed a somewhat public part in the affairs of the tribe. Ottoman sultans began to consider themselves warriors of

Islam after the capture of Constantinople in 1453. As a result, they adopted more and more of the ancient Islamic rituals. In addition to the veil and cloistering of women, these were social norms rather than Islamic legislation.

7.5. Legal Privileges

In Islamic law and custom, women of the Ottoman Empire were given special legal privileges when they reached puberty. They have the right to control property that belongs to them, and neither fathers nor spouses were allowed to utilize it without their approval (Dengler, 2013). Disputes might be brought before the local qadi (Judge), and they possessed the right to do so. In most cases, judges protected women's legal and property rights in the Ottoman court system, utilized by women from all walks of life, rural and urban alike.

Non-Muslim Ottoman women widely used qadi courts because they have been regarded as more favorable in dealing with women's concerns. Women and men alike began petitioning the imperial divan (Council) directly in the early 17th century. There was a favorable scenario for Ottoman women. Parents and families arranged marriages, although women had the ability to reject a match, and beforehand agreements were widespread. While polygamy was not unheard of throughout the Ottoman era. However, the number of males with more than one wife was over 95%. Many of the royal and religious classes, as well as some high-ranking divan officials, were more likely to be polygamous than the average male (Ahmed and Ahmet, 2019).

When it came to dissolving an unhappy marriage, Ottoman women had greater freedom than legal standards might imply to terminate their marriages. It was feasible for couples to divorce or got an annulment in eighteenth-century Istanbul, and divorces prompted by women grew so widespread that social observers began to express worry. Abuse, negligence, and a lack of financial support were among the reasons given by women for divorcing their husbands. It was customary for non-Muslim Ottoman women whose traditions did not allow divorce to convert to Islam as a method to be freed from an undesired marriage (Türkdoğan,1992).

Ottoman women's position may be considered superior to that of European women. So said the travels of Lady Elizabeth Craven, whose Journey across the Crimea to Constantinople was based on her trips there (1789) "I think I never saw a country where women may enjoy so much liberty and free from all reproach, as in Türkiye (P, 205).… The Turks, in their conduct towards our sex (women), are an example to all other nations. (P, 232)" (Craven, 1789).

An iconic representation of Ottoman women's exclusion is the Harem. An obsession with the idea of the Harem in the West ignores the institution's considerably more dynamic functioning. On the other hand, Leslie Peirce questioned the typical picture of Ottoman women as cloistered and helpless in The Imperial Harem (Peirce, 1993). According to her book "*The imperial harem"*, Sultans' mothers and other royal ladies were more powerful and prominent as they retired into their harems in the late sixteenth century. Segregation of women was especially widespread among imperial families and upper-class households. Lower-class women had more freedom of movement than upper-class women, in part because of their participation in economic activities.

7.6. Property ownership

Patronage of big architectural projects by royal ladies would be a visible manifestation of their infrastructure development. For example, Süleyman the Magnificent's wife, Hürrem Sultan (known in Europe as Roxelana), was instrumental in the creation of Istanbul's Haseki Hürrem Külliye, an enormous complex that included a mosque, a soup kitchen, a women's hospital, and a bathhouse. Women in the Ottoman economy had a prominent role, as seen by their charity actions (Baum, 2012). Female landowners had a vital role; some possessed timars (military estates of lands). They had the ability to receive and distribute property, and they were often involved in the management of their own financial resources. Tax farmers (private tax collectors) and a variety of other business operations were common activities for women. Women from both the cities and the countryside worked together to produce textiles, which were in high demand across the empire (Köken & Büken, 2018)

7.7. Business Privileges

Both silk winding and cotton spinning were traditionally seen as the domain of women, and as such, many of these tasks were performed on a part-time basis at home. To the point when cotton-weaving guilds (which seldom included women) requested official action, women were monopolizing cotton-thread manufacture in the city of Mosul. Women also sold prepared foodstuffs, traded in modest amounts, ran public baths, and facilitated slave transactions. While men were absent on long military expeditions, women in the countryside worked in agricultural and animal husbandry.

8. Role of women in the Ottoman state.

Certainly, the role of women in the development of the ottoman empire is a privilege such as in Anatolian civilization. At the same time when women were seen as a sign of "witchcraft" and "sin" in the West, a revolution was fostering in Anatolia, where Bâciyân-i Rûm (Sisters of Rum (Anatolia)) became the world's first women's organization (Çubukçu, 2015). In Anatolia's moral and economic regeneration, this organization has played an important role. It was the brains behind a massive endeavor in the sectors of religion, business, society, and education.

Many of the current women's social help organizations, employment, and promotion of women's status are based on the thinking of Bâciyân-i Rûm, which contributed as much as the Ahi Organization, which was created by males, in terms of social and economic growth (Varinli & Akgül, 2012). Aşıkpaşazade (ottoman historian) talked about four important elements that played a role in the establishment of the Ottoman State; One is Gaziyan-i Rûm (fighters), Abdalan-i Rûm (Dervishes), Bâciyân-i Rûm (Sisters) and Ahiyan-i Rûm (Craftsmen) (Karta, 2015).

Women had an important part in agriculture throughout the Ottoman era. Archives show that women in the Ottoman Empire had a significant role in agricultural and animal husbandry, as well as in war and peace, including in textiles and home economics. They also had the right to inheritance (Ortaylı, 2009). Numerous Awqaf were established by Ottoman women, and these may have included educational institutions such as schools and hospitals to communal facilities such as caravansaries, baths, fountains, soup kitchens, hostels, and mosques. Most philanthropic institutions in the empire were started by royal ladies, who had a good amount of money to give away (Dunn & Carney 2018).

8.1. The Socio-Economic Contribution of Women in Ottoman State

In many of the western writings, women in the ottoman empire were often referred to in terms of the Harem. In actuality, things are quite the opposite. Ottoman archives show that Ottoman women made a significant economic contribution to the household and society. Even throughout the Ottoman Empire's classical era, women were granted much fewer social, economic, and political positions than males were given. Women's contributions to the household budget and their involvement in the workforce were highly valued in Ottoman society. Throughout the Ottoman Empire, women played an essential role in agriculture, business, and social work. Archives reveal that Ottoman women had an important part in

agriculture, animal husbandry, war, and peace, as well as in textiles and home economics, all at the same time. They also had the right to inheritance (Ortaylı, 2009).

Several instances illustrate that women in Anatolia were involved in commerce and operating businesses. As an example, in Bursa in the 17th century, the majority of the spinning workshops were owned by females. Muslim and non-Muslim women employees both made up the workforce. Apart from textile workers, women in the neighbourhood had their own mills and bakeries. Some have characterized Bâciyân-i Rûm (Anatolian Sisters) as an "Anatolian Women's Organization" in comparison to its contemporaries. In terms of its operations, this group is a perfect illustration of a non-governmental organization. Many of the current women's social help organizations, employment and promotion of women's status are based on the thinking of Bâciyân-i Rûm (Varinli & Akgül, 2012).

This framework, which was not based on gender domination, contributed significantly to the development of morality in social life and the development of ethical principles in the corporate world. In this regard, the Bâciyân-i Rûm contributed as much as the Ahi Organization, which was created by males, in terms of social and economic growth (Köken & Büken, 2018). There were a variety of craft activities undertaken by women in the union to meet the demands of the time. These included weaving, carpet-weaving, tent making, and dying. After completing their education and training, they were not left to their own devices; they were constantly monitored for ethical business practices and the quality of the products and services they provided. In this way, the group was like the present Chambers of Commerce (Varinli & Akgül, 2012).

In addition to the fact that they had a very strong religion and character education, the Sisters' community was able to do vital responsibilities for such a long period because they were well organized and beneficial in many other areas. It demonstrates that in a thousand-year era like the Medieval Age, during which mankind was in the grip of darkness, the Turkish-Muslim women had a golden age and were respected and highly regarded at this time. Actually, Bâciyân-i Rûm became so well-known that Melike Khatun is said to have joined this Konya women's community (Çubukçu, 2015).

As powerful and influential as their husbands, the Khans of the ancient Turks, women were just as important in their society. They had their armed forces, advisors, and territories all set up for them (Bulut, 2020). Besides handicrafts, the women were skilled in animal care and outdoor labour, which they put to good use (Erdem & Yiğit, 2010). Middle Ages Ahi women also served the purpose of providing work and employment. It is also regarded as the beginning of women's entrepreneurship from this perspective (Tatlilioğlu, 2012).

It has long been accepted in the Western world that women had no involvement in the Ottoman economy, but new study has demonstrated that women had a significant impact on both the rural and urban economies of the empire (Zarinebaf-Shahr, 2001). There has been recent research on manufacturing that show slave and free women were involved in the western Anatolian silk workshops of Bursa and the Anatolian cottage textile (cotton, mohair) and dyeing industries across Anatolia and Syria in the late nineteenth century. This also includes the Balkans and the Middle East (Faroqhi & Quataert, 1994).

Women had fewer roles in business and industry. Nursing and midwifery, as well as a few other jobs in the textile industry, including winding and weaving, hat making, embroidery and stitching, and producing handkerchiefs, were all open to them by choice. However, this kind of job was usually reserved for women, and it might be done either at home or in a separate workplace (Dengler, 2013).

8.2. Contribution to Social welfare and Philanthropy

This women's group, affiliated with Bâciyân-i Rûm, cared for orphaned young girls, trained them, gave them employment, educated them spiritually and morally, and finally married them. Besides taking care of the old ladies in their society, Ahi women also ensured they weren't left alone. Additionally, they devoted their time, resources, and possessions to the orphans and the needy, making it their mission in life to serve (Varinli, & Akgül, 2012).

Numerous Awqaf were established by Ottoman women, and these may have included educational institutions such as schools and hospitals to communal facilities such as caravansaries, baths, fountains, soup kitchens, hostels, and mosques. Most philanthropic institutions in the empire were started by royal ladies, who had a good amount of money to give away, few of the examples are.

- Süleyman the Magnificent's wife, Hürrem Sultan, was instrumental in the creation of Istanbul's Haseki Hürrem Külliye, an enormous complex that included a mosque, a soup kitchen, a women's hospital, and a bathhouse.
- The Mihrimah Mosque in Edirne, Thrace, in 1555 was built under the sponsorship of Hürrem Sultan's daughter.
- Yeni Valide Mosque, which Safiye Sultan began in 1598 and completed in 1602.

As a result, a significant percentage of lower-ranked women also implemented smaller Awqaf. In fact, between 20 and 30 percent of all philanthropic foundations formed by Ottoman women

in the 18th century (Zarinebaf, 2005). A strong role for women in the Ottoman economy may be observed in their charitable efforts. Between 1746 and 1771, 39% of Aleppo's family waqfs were formed by women. Some 5% of the beneficiaries of these waqfs, which were mostly residential properties, were freed slaves (Zarinebaf, 2005). Bâciyân-i Rûm union served for aid and solidarity among the Ahi women and provided women with vocational, religious and moral education.

8.3. Contribution to Internal Security

8.3.1. Muhtesib to supervise Hisba system (a consumer protection system)

By appointing Muhtesib to supervise the Hisba System in the market, a prominent element of this institution, business ethics and consumer protection have been greatly enhanced . Muhtesib's primary focus was on enforcing the hisbah (ihtisab) standards and the declared price lists, as well as preventing market fraud and malpractice, misconduct etc. Honesty in weighing and measuring was a top priority for him at the market.

8.3.2. In the Ahi class of Bâciyân-i Rûm Organization, a women Muhtesib (Market inspectors)

Because they were working independently and also having Bazars (Markets) exclusive for women all its functions were similar to the Ahi craftsmen class. They were having lady Muhtesib to supervisor these markets as these markets were exclusive for the women manufacturers, traders and consumers (Bulut, 2020). The Muhtesib were continually monitoring the quality and suitability of the hired women's work and goods, and this system of control was maintained even after the women had acquired the requisite professional skills. That was to creating a robust Hisba system (now known as consumer protection) which is crucial in the business sector, as it will serve to safeguard customers against deceptive actions on the part of manufacturers and retailers (Atasever, 2017).

Among their many goals, the Ahi women of the Bâciyân-i Rûm Organization sought to create products with a reputation for reliability and authenticity. Production of goods guided by commercial principles fostered the growth of entrepreneurial spirit in the economy. This is evidence that they have used their knowledge in real-world settings and in their interpersonal relationships (Erdem & Yiğit, 2010). Moreover, they took seriously the issues of social

responsibility that we attempt to cultivate in contemporary communities and adopted them as guiding principles for their daily lives.

8.3.3. Participation in protection of state

The Bâciyân-i Rûm Organization empowered women to participate equally in all spheres of society, including politics, business, culture, and the professions. Women realized what was needed for society to progress, so they founded this group. Now everyone in it has a job and contributes to society in some way (Köken & Büken, 2018).

That is the reason that each Sister was capable of fighting, riding, shooting and archery, hunting, and going out to fight in a battle on her own. They accompanied their husbands to the front and back of the battlefields to help defend against the Mongol invasion **(Şahin, 2016).** Ahi women also fought back against the Mongol invasion like a guerrilla group, supplying the troops with necessities like socks and clothing and providing logistical support by creating other war equipment. They were the first women to be considered fighters.

Women provided for their families while their husbands were out on lengthy, drawn-out war and exploration missions. This was the reason "women's bazaars" were set up specifically for female shoppers. These marketplaces were off-limits to males. These bazaars included the sale of food, meat, and other goods made by Ahi women (Bulut, 2020). There were no middlemen or commercial goods sold at these bazaars. By adhering to such a policy, they could keep the region's economy from deteriorating even during hostilities.

Considering the relatively protracted nature of the battles and expeditions of this time, it is a very useful and safeguarding feature. The Sisters were not only involved in craft activities; they also cared for animals and worked in the fields (Köken & Büken, 2018).

Not only did they engage in handiwork such as weaving and needlework, but women also took responsibility of all the household chores while their husbands were away. As mentioned before this group of ladies took in orphaned children, gave them an education, helped them find jobs, taught them morals and religion, and eventually set them up in marriage. As a community, Ahi women also looked after the old ladies who lived alone (Varinli & Akgül, 2012) which indicates that these women also indirectly secured the state from emergence of criminals and thieves by diluting that extreme situation by teaching, training, providing jobs to let the unattended people able to earn their livelihood respectfully**.** All of these efforts were made possible by the Sisters' saving piggybanks. Orphans, the impoverished, and the elderly were prioritized by the Sisters, who then individually distributed assistance to them. Assistance in the form of training, care

for older individuals who live alone, and providing them with meaningful work. They used a holistic approach to helping a person by giving them material aid as well as emotional and social assistance via their charitable work. The Sisters' lodges were not the only way they helped those in need; rather, serving others was their whole motivation for being (Varinli & Akgül, 2012). That was the tipping point that started the social trend of helping one another. The Ahi women created an organization in the Middle Ages that helped other women find work. One may also argue that this was the first time that women entrepreneurs entered in the business world (Tatlilioğlu, 2012).

8.3.4. Intelligence and security officers

There is a lady identified as "Üsküdar Kolcusu" in records dated April 10, 1851, and May 7, 1851, housed at the Ottoman Archives (BOA) of the Directorate of State Archives who was assigned work of security (Levent, 2022). A number of women, including Nakiye, Nezihe Muhiddin, and Sadiye Hatice, have been assigned as inspectors to school systems by the Ministry of Education in Darülmuallimat since 1881. (Kurnaz, 1991: 23-29, 96, as cited in Levent, 2022).

8.3.5. Women in Security Fields

It is clear from the records kept by the Ottoman Archive and the Archive of the General Directorate of Security, as well as from the study conducted by scholars with an interest in the topic, that women were formally employed in the area of security throughout the late Ottoman period (Levent, 2022). Data from the General Directorate of Security shows that on April 16, 1880, Ayşe Hanm, daughter of Brah, was assigned as a guard at the Zaptiye Nezareti Prison-i Umumiye Nisa Prison and was followed by appointments of other women in the security department. (Şahin et al., 2010). The women were heavily involved in the customs clearance process on both land and water. The Rüsumat Trust stated in a letter dated 5 September 1901 that women were being used as a conduit for the smuggling of guns, damaging publications, and jewelry items from the Mudanya Pier. If a woman is suspected of taking more than three or four trips on the boat, a female security officer will do a top search. (Dığıroğlu, 2007, p. 126, as cited in Levent, 2022)

Prisons and other detention facilities are another areas where women are employed in the security industry. Renting a residence far from the scene of the crime made it difficult to identify a suitable location for convicting women and locating staff to monitor their care. (Karadoğan, 2018, p. 295-333, as cited in Levent, 2022). The aforementioned female guards' responsibilities include: supplying

inmâtes with food and healthcare; maintaining prison discipline; and ensuring the safety of all detainees. (Babaninoğlu, 2020, p. 183-191, as cited in Levent, 2022).

Based on the available information, the first instances of such employment can be recognized today date all the way back to 1851. It is quite obvious that the hiring of women in the field of security is meant to provide security and avoid security flaws, particularly in areas that are unique to women.

8.3.6. Women in the Intelligence fields

Although it is well known that the Göktürks, Huns, Qarakhanids, and Seljuks were the forebearers of modern Turkish intelligence, the operations of Turkish spies really go back hundreds of years. Salma informers moved to the Böcekler/Böcekçiler (Information and intelligence department) in the Ottoman Empire to help with crime prevention and criminal identification after information/intelligence activities began to be carried out in a more organised manner, particularly during the reign of Sultan Mehmet the Conqueror. Today, salma informers, who work for intelligence units undercover, may be seen as providing a type of preventative law enforcement by gathering information before crimes are committed. (Kaynar, 2002)

The organization, which was founded together by men and women, had been engaged in criminal activity in the past, including stealing, pickpocketing, and fraud, but had since repented and adopted a law-abiding lifestyle. After undergoing a change in behavior and adapting to a life governed by rules and laws, these people were put to use in the fight against criminality and delinquency. Salma Çuhadari/Salma Başçuhadari and the Böcekler/Böcekçiler both worked under Böcekbaşi/Böcekçibaş'nn, whose position is equivalent to that of the present police head in Istanbul. (Şahin et al., 2010, pp. 27-31, 47).

Since the police chief is represented as the leader of a private and specialized law enforcement agency, it is reasonable to assume that the male and female intelligence officials under his command are experts in their field. Their duties include, among other things, apprehending criminals, conducting searches, and locating those who have been accused. (Tongur, 1946, p. pp. 64-65, as cited in Levent, 2022)

8.3.7. Contribution to Military Operations

When it came to economic, social, cultural development and defence, in Bâciyân-i Rûm Organization; there was no gender discrimination. Since women were the ones who founded Bâciyân-i Rûm, it was critical that everyone in it has a job and demonstrates their value to

society across a wide range of disciplines. Thus, the Sisters in the organization were able to fight, ride, archery, hunt, and participate in the battles on their own, as well as in groups (Sirim, 2015).

Ahi women formed a guerrilla organization during war time and also produced socks and clothing for the troops as well as provided other logistical assistance by making other war items. In this way, they might be regarded as the first female fighters (Bulut, 2020). The convert Muslim, in line with his European background, has difficulty understanding the status of women in his new environment. They question the presence of women on the battlefield. One female Muslim warrior explores the sentiment of ethical superiority among Ottoman women. According to her, 'Women live and die as men do. They can be officers if not masters. Ottoman women do not appear in ballrooms or gardens but in schools and on battlefields. They do not wear jewellery and fancy girdles, but swords and daggers. Because of that, they stroll through their enemy's palaces while others are besieged and enslaved' (Çekiç, 2016).

Apart from its Occidentalism aspects, the scene where the Christians are in the palace waiting for the Arab invaders is also used to examine the debate regarding the function of women in an army. There are rumors that women make up a quarter of the Arab army, and while some of the Christian characters in the court see this as good news, others point out the difficulty of resisting a nation in which even the women take up arms (Çekiç, 2016).

9. Conclusion

In a society, where 85% of the legal system consists of Shariah (Islamic Law) which provides women dignity, including personal, social, and economic rights, women in such a legal system have respect in every stage of life and can enjoy all rights as well as can contribute to the society in many aspects. Women in the Ottoman empire were involved in a variety of activities that helped support their families financially and socially as well as the state in time of war and defence. A revolution was underway in Anatolia, where Bâciyân-i Rûm (Sisters of Rum) formed the world's first women's organization; at the same time, women were stigmatized as a symbol of evil and bad oman in the West. About ninety percent of The Ottoman economy of agriculture because of the vast ruler area. Many records show that throughout Ottoman history, agriculture, animal husbandry, and even war and peace were all areas in which women played a vital part. Additionally, these economic activities were focused on enhancing small-scale textile and painting, manufacturing, as well as gardening and seed storage, etc. Both silk

winding and cotton spinning were traditionally seen as the domain of women, and as such, many of these tasks were performed on a part-time basis at home. Women plaid a vital role in giving charity and philanthropy; there were several awqaf (institutions) set up by Ottoman women, including schools, hospitals, soup kitchens, caravansaries, baths, hostels, and mosques, among other types of services. That indicates that most of the women were financially independent to give away money for the good of society and spend on their families. Women during the Ottoman time did not contribute only to social and economic activities but there is ample evidence of their contribution to politics and military operations. Other vocations conducted by women in both urban and rural settings include treating women's ailments, providing childbirth services, and so on. Housework and caring for children's education are among the essential duties of Ottoman women's families. The women in Ottoman period have not worked just for economic and social cause but they have worked even in highly sensitive and confidential departments of information and intelligence. They were excellent in intelligence and information too. From this point of view, we can conclude that the Ottoman women were given justice and all rights they deserved, which made them developers, producers, defender and caretakers of the society.

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TRADABILITY OF ABSTRACT RIGHTS FROM THE PERSPECTIVE OF THE MAJELLA AL-AHKAM AL-ADLIYA THE OTTOMAN COURT MANUAL

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Abstract

To understand the Islamic perspective regarding the mal/wealth- that has been earned by legitimate means- we should notice that the Holy Qur'an has used the same expression " Qiyam "for it which the Quran has employed for the holy Kaaba. That is why the preservation of wealth is one of the basic objectives of Shariah next to the preservation of life. The Quranic term Mal consists of all types of wealth, i.e., the physical and the abstract. However, abstract rights refer to legal rights that derived from the intellectual activity of an individual in several aspects of life, e.g., in the industrial, scientific, literary, and artistic spheres.

The article endeavors to look at abstract rights, (which have become more significant assets in modern times) and analyze their acquisition, tradability and the Shari'ah status in the light of The Ottoman law/court manual.

Keywords: Properties, Abstract rights, trademark, copyright, easements Majallah-al Ahkam al-Adalyyah is a case study, as it was the oldest Islamic law and civil code in Islamic history.

Keywords: Properties, Abstract Rights, Trademark, Copyright, Easements, Ottoman Law/Court Manual.

1. Section 1

1.1. Introduction

The significance of halal wealth in Islam can be gauged by the fact that the Holy Quran has used the same expression for both Kaaba and halal wealth. The Qur'an said:

[جَعَلَ اللَّـهُ الْكَعْبَةَ الْبَيْتَ الْحَرَامَ قِيَامًا لِّلنَّاس][5:97]

Allah has made the ka'bah the sacred house, a source of stability for people. (Usmani M. T., The Noble Quran: Meaning with explanatory notes, September 19, 2020)

According to some exegesis, this means that the stability of the whole world depends on the stability of ka'bah, in the sense that the whole world will only exist if the ka'bah exists and is held in reverence and honor.

And almighty has said:

[وَلَا تُؤْتُوا السُّفَهَاءَ أَمْوَالَكُمُ الَّتِي جَعَلَ اللَّـهُ لَكُمْ قِيَامًا][4:5]

Do not give the feeble-minded your property that Allah has made a source of stability for you. (ibd)

That is why preservation of the property is one of the basic objectives of Shariah next to the preservation of life. (al-Shāṭibī, 1428ah/2007)

The article endeavors to look at the abstract rights, (which has become a more valuable property in modern times), analyze its acquisition and the Shari'ah status of its tradability in the light of the Ottoman law/court manual. Along with presenting a sketchy summary of Majallah al-Ahkam al-Adaliyyah/ the Ottoman court manual.

1.1.Literature Review

Much has been written about abstract rights in both, classical and contemporary jurisprudential literature, and even the new forms of abstract rights (which have recently been arisen, because of the scientific and technological revolution) have been widely discussed by contemporary scholars in various languages. e.g., the Sale of Abstract by Sheikh Muhamad Taqi Al-Usmani (Usmani M. T., Articles on Contemporary Jurisprudence Issues, 2003), Compensation of abstract rights in Islamic law for Husam al deen Muhammad (Muhammad, 23/1/2018), Obtaining the rights in Islamic jurisprudence by Umar bin Sharif Al-Salami (Al-Salami, 1997) The sale of rights and benefits in Islamic jurisprudence (Al-azami, 1997) Inheritance of rights in Islamic jurisprudence (Al-Saeedi) Netting on the Rights, Obligations, and its Contemporary Applications. (Mazin, 2019) sale of disputed rights (Al-Azami, 1990) Intellectual Property

Rights in Islam: A Perspective, Author's Copyright: An Islamic Perspective, for Muhammad Amanullah includes many fatwas and resolution from different Fiqhi academies, (Muhammad Amanullah, 2022) are Noteworthy.

However, the novelty of this study is that it analyzes almost all types of abstract rights, in the light of the Ottoman Court Manual. furthermore, instead of being confined to the Hanafi school of thought the jurisprudential views of authentic jurists from other schools of thought also have been taken into consideration.

1.2. A Sketchy Summary of Majallah Al-Ahkam al-Adaliyyah

Majallah al-Ahkam al-Adaliyyah was the civil code of the Ottoman Empire in the late 19th and early 20th centuries. It was the earliest endeavor to organize a part of the Islamic law of the Ottoman empire. The Majallah was prepared by a council of well-versed scholars chaired by Ahmet Cevdet Pasha, published in sixteen volumes (containing 1,851 articles) from 1869 to 1876, and went into effect in the year 1877. The history of the compilation of this court manual goes back to the post-era of the Crimean War, fought by the Ottomans and their allies against the Russian empire from -1853 to February 1856. As a result, a considerable number of Muslim war survivors were left in the Russian-controlled territory. This caused concern in the Ottoman Caliphate, so they officially expressed their concern regarding the rights of Muslim war survivors -Addressing the Orthodox Church in Moscow the Ottomans asked while living in the non-Muslim territory, which law will be applied to the Muslim war survivals to deal with their personal, family, and commercial disputes? This query prompted Russians to respond in kind regarding the Christians inhabiting the Ottoman land. Sultan Abdul Majid appointed a council of Hanafi jurists to compile a court manual which is mainly based on Hanafi views, - that enjoyed official status in the Empire, put into European code-form- yet the opinions of other jurists have also been taken into consideration. Consequently, an unprecedented work" Majallat al-Ahkam al-Adliyyah/ Legal Code of Islamic Civil Transactions is compiled. (A committee composed of several scholars and jurists in the Ottoman Caliphate (Haweni, 1431).

In addition to Islamic jurisprudential codification, another law was carried out regarding the judiciary and civil law of all religions and schools of thought in the Ottoman Empire. (Caliphate, (1980).)

The present book is a set of legislation consisting of sixteen books, as follows

Book 1: Sale (Al-Buyu')

Book 2: Hire (Al-Ijarah)

Book 3: Guarantee (A l-kafalah)

Book 4: Transfer of Debt (Al-hawala)

Book 5: mortgage (Al-rahan)

Book 6: Trust and trusteeship (Al-Amanat)

Book 7: Gift (Al-hibah)

Book 8: Extortion and Destructions

Book 9: Interdiction, Constraint and Pre-emption (Al-hajr, izin ve Al-shuf'ah)

Book 10: Joint Ownership (Al-sharikat)

Book 11: Agency (Al-wakalah)

Book 12: Settlement and Release (Al-sulh ve Al-ibra)

Book 13: Admissions (Al-iqrar)

Book 14: Rights of legal claims (Haqq ul dawa)

Book 15: Evidence and Administration of an Oath (Al-shahadat ve al tahleef)

Book 16: Administration of Justice by the Courts (Al-Qada)

1.3.Commentaries of Majallah

Many commentaries & interpretations of Majallah have been written in different languages. Like:

The commentary of Mufti of Homs, Khalid bin Muhammad Atasi (father of former Syrian King Hashim Atasi). Which is currently published in five volumes from Dar Al-Kitab Al-Umayya Beirut.

The Commentary of former Lebanese Justice Saleem Rustam Baz (in two volumes, published by Dar Al-Thaqafa Beirut.

Islamic legal Maxims for Dr Mustafa Zarqa (Zarqa has written great scholarly commentaries on its Qawaid.

Explanation of Sheikh Saeed Murad Al-Ghazi

The Commentary Professor Saeed Mahasini

But Al-Atassi's commentary remained the broadest and richest explanation.

1.4. The Majallah After the Dissolution of Caliphate

After the dissolution of the Ottoman Empire, the Majalla remained a lasting influence in most of its successor states. The Mecelle was long-lasting in most places since it was effective, coherent, and difficult to dislodge. It remained in force in the following states: -

Türkiye until 1926

Albania until 1928

Lebanon until 1932

Syria until 1949

Iraq until 1953

Cyprus until the 1960.

The British Mandate for Palestine and, later, *Israel* formally until 1984. (Guberman, 2000)

The Majalla also remains the basis of civil law in Jordan and Kuwait.

Then the military governments have replaced the Majella with western civil and commercial law.

1.5. Is the Majallah Al-Ahkam Aladliya, a Viable Law?

A question that is widely being raised Is whether Majallah Al-Ahkam Aladliya can be a viable law for this modern age?

In fact, this question directly aims at the viability of Islamic jurisprudence rather than being concerned about the Majallah Al-Ahkam Aladliya as Majallah is a codified shape of Islamic law.

The answer is yes and absolutely, because Islamic jurisprudence is the divine guided law that has enjoyed an official status in the world's great Empire since its very inception to the first quarter of the 20th century, i.e. the Umayyads, the Abbasids, the Mamluks, the Ottomans, besides the time of the Prophet and his blessed Khulafa-e-Rashideen /the Rightly Guided four caliphs May Allah be pleased with them).

And in the 21st century, when different nation-states emerged, the Shari'ah law again obtained its position and become the supreme constitution of many countries. so, the Shari'ah law carries two privileges simultaneously, i.e., divine guidance and the human experience of 14 centuries

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which testifies that the Shari'ah law is always effective, coherent, and indispensable. And this is what makes western scholars recognize Islamic Jurisprudence as a global source for legislation and law in a good number of international conferences since 1932, here are some examples:

1. International Comparative Law conference in Hague, 1932A.D.
2. The conference of Hague, 1937 A.D.
3. International Comparative Law conference Hague, 1938 A.D.
4. The International Conference, Washington.1945 A.D
5. The International Conference, held in the Department of Law of the International Academy for Comparative Laws, 1951, Paris, to discuss Islamic jurisprudence under the name of Islamic jurisprudence Week, supervised by Dr Professor Miliot, Professor of Islamic Legislation at the University of Paris.)Al-Sanhoury, 2007(

During the discussion, one of the participants of the conference, and the former president of the bar council, in Paris, said: I do not know how to reconcile what was being told us about the rigidity of Islamic jurisprudence and its inefficiency to cope with a legislative basis that meets the needs of the modern and developed society, and between what we hear now in the lectures and their discussion, which is broadcast otherwise completely with clear proofs of textual evidence and principles.

The first decision: adopted by the Comparative law Conference held in The Hague in August 1937, and it contains three principles:

1. Considering Islamic law as a source of general legislation
2. Jurisprudence is alive and developing.
3. It is permanent legislation that is not taken from others

At the conclusion of the two other conferences, (1948 and 1952)

 the conferees unanimously drafted this report

Based on the discussions presented during the Islamic Fiqh Week, it is deduced that

1. That the principles of Islamic jurisprudence have a great value and it is the indispensable system.
2. And that the difference in the jurisprudential schools of thought in this great legal group implies a wealth of concepts and information, and from the legal principles they are

admired. Islamic jurisprudence can respond to all the demands of modern life and reconcile its needs.

In recognition of the flexibility and wealth of Islamic legislation, the International Bar Association should adopt a comparative study of this legislation and encourage it. (Al-Sanhuri, 1953)

In addition, the Majallah remained prevailing in some non-Muslim countries, such as present-day Israel until where the Majallah was rescinded in 1984 by Israeli special law, although it has been replaced by Israeli law, a few articles are still existing like articles 80-82 of the Ottoman Civil Procedure Law (1879) are a part of Israel's evidence law. (Michal Tamir, August 2006)

And the famous writer Marshall Hutson wrote:

Muslims established in 16th century an economic system and civilization that anybody would come from out of this world he has no choice except Islam due to its excellence in trade, finance, and agriculture. (Hodgson, 15, 1977)

These are just the Tip of the iceberg otherwise; a lot has been written in this regard.

2. Section 2
2.1. Abstract Rights and Their Types

The Abstract Rights Protection Act gives an individual the right to protect his/her invention, to dispose of it out, and nobody would be allowed to use the invention without their permission.

According to the World Intellectual Property Organization (WIPO) (United Nations, 1967)

Intellectual property refers to the creations of the mind: inventions, literary and artistic works and symbols, names, symbols, and designs used in trade (WIPO 1967)

The Shari'ah standards define the abstract rights like: A financial right is the prerogative of a (natural or artificial) person recognized by the Sahri'ah ro have rights and responsibilities and the legal capacity to enter into transactions. (Shari'ah standards, Accounting and Auditing Organization for Islamic Financial Institutions, 2015)

According to Muhammad Taqi Usmani:

The concept of abstract rights includes that whoever spends his mental labor to invent something is the owner of the fruits of his invention. So, if someone invents a certain instrument, he owns that instrument along with the formula he uses for the first time to invent it. And nobody can grab it without his consent. Similarly, if someone writes a book, he/she has the

exclusive right to publish it, and nobody can publish that book without his permission. This right of an author or an inventor is termed his 'intellectual property". (Usmani M. T., Copyright in Islam , 2012)

2.2. Types of Abstract Rights

Initially, the abstract Rights are divided into two categories as follows:

1. Shari'ah rights, الحقوق الشرعيّة- The rights that have been bestowed only by the Shari'ah law, if there were no Shari'ah law, these rights would have not been given to anyone.

2. Customary rights, الحقوق العرفيّة the rights that have been determined by the custom and endorsed by the Shari'ah.

Each of these two types is further divided into two types:

1. Necessary rights (الحقوق الشرعية الضرورية), these types of rights are not the actual rights that have been granted to anyone innately, as they lead to intervening in others' rights, but to avoid the inconvenience and disturbance.

2. Innate/ Natural rights", The rights that have been innately granted by the Shari'ah to every human being. So, he/ she has absolute and unconditional authority over them. (Usmani M. T., Article on contemporary jurisprudence issues, 2013)

2.3. The Shari'ah Innate Rights, Definition & Types: (الحقوق الشّرعية الأصليّة)

The Rights that have been vested in every human being regardless of nationality, sex, national or ethnic origin, color, religion, language, or any other status. And the humans have an absolute and unconditional authority over them.

These rights are of three types:

A. Rights of Usufruct of Tangible Assets

Rights of usufruct of tangible assets, such as the right of habitation, irrigation rights, watercourse rights, drainage rights, (حق التسييل), and rightes of passage (حق المرور) and so on.

B. Right of Priority, حق الأسبقية—

Rights that are obtained by taking a free property, like res nullius (Mal Al- Mubah) (refers to things belonging to no one)

C. Right of Contract

It refers to the right to create or maintain a contract, such as the right to lease the land, house, or store, or the right to remain in one of the Waqf functions.

2.4. How Are they Exercised and Transferred?

These rights can be Exercised and transferred in two ways:

A. Transferring them by an exchange contract.
B. Withdrawing from the competition.

In the second case, but mere waiver of a party of a right by no mean makes the second party the owner.

So, the first type of right can be transferred to second party by any exchange and contributory contract, for e.g., the right of habitation is transferable by leasing the house or granting the usufruct.

Imam Qarafi wrote:

The ownership of a tangible asset can be transferred either by an exchange contract such as sell or lending. (Qard) or voluntarily, like Hiba (gift) contract, Wasiyya (will), the waqf (endowment), donations and charity.

And in the ownership of an intangible asset, like usufruct of an asset could be transferred by Al-Musaqah(A contract between the owner of an orchard or its usufruct and a worker (irrigator) agreeing to share the produce according to specific ratios stipulated at the time of contract.) , Leasing, sharecropping, Qirad contract and a Ju'al'ah contract(is a contract in which one of the parties (the Ja'il) offers specified compensation (the Ju'l) to anyone (the 'Amil) who will achieve a determined result in a known or unknown period.) Also, the ownership of a property can be transferred without a compensation.

There are also different ways to renounce the ownership with and without a compensation.... But mere waiver of a party of a right by no mean makes the other party the owner. (Al-Qarafi, 2001)

2.5. Necessary Rights (الحقوق الشرعية الضرورية)

The rights that are given only to protect oneself against a potential inconvenience and disturbance. like:

1. Preemption rights. حق الشفعة)"The right of shufaa or pre-emption is a right which the owner of an immovable property possesses to acquire by purchase another immovable property which has been sold to another person". The foundation of the right of pre-

emption is the human desire to avoid the inconvenience and disturbance which is likely to be caused by the introduction of a stranger into the land.)

2. Division of overnight stay between co-wives

3. right guardianship for own child or an orphan

4. right of divorce when it is delegated to the wife.

In principle, if two or more aptitude people execute a contract with mutual consent, no one else has a right to interfere in their affairs. However, there is a probability to violate the neighbor's or the partner's right in a sharing property. So, to protect the neighbor or the partner from being exposed to a potential inconvenience and disturbance which is likely to be caused by the introduction of a stranger into the land. the Shari'ah has given them (the neighbor/ partner) a right of pre-remission. Similarly, the right to guardianship of a child, etc.

Can these rights be traded?

The answer is negative!

Because the Shari'ah has given these rights (even at others' expense,) to protect him/herself against a potential inconvenience and disturbance, not to make a financial gain. Therefore, selling/relinquishing this right means the absence of such a right would not have an adverse effect on him/her.

For example, if the right of divorce is delegated to a woman to protect herself against her husband's oppression, but if she offers to hand it over back to the husband for a sum of money, it means that there is no hazard of an inconvenience or disturbance. the same is true with pre-emption, etc.

Second categorization of The Shari'ah rights

The Shari'ah rights: These types of rights have also been innately and unconditionally granted to all, but they are not transferable, neither for financial gain nor voluntarily. such as:

1. The right of retribution, (قصاص)

2. The sexual right of the husband (حق الاستمتاع)

3. The right of heirship. (حق الميراث) etc.

2.6. Shari'ah Ruling

These rights cannot be traded as per Shari'ah perspective. However, a financial gain can be obtained through reconciliation, provided that the rights should be existing at the time of the

settlement, and not be foreseeable in the future. like a right of Qisas (means the right of the heirs of a murder victim to demand the execution of the killer.)

And the Takharuj(an agreement under which some heirs assign their shares in the inheritance to other heirs for a certain consideration) contracts in the case of inheritance.

An example of a foreseeable right is offering someone his/her share of inheritance during the life of the legator.

The famous Hanafi jurist writes:

وحاصله أن ثبوت حق الشفعة للشفيع، وحق القسم للزوجة، وكذلك حق الخيار في النكاح للمخيرة إنما هو لدفع الضرر عن الشفيع والمرأة، وما ثبت لذلك لا يصح الصلح عنه.(Al-shami, 2002)

The nutshell is that the pre-emption right for the shareholder or neighbor, Division of overnight stay right between co-wives as well as the power of choice in marriage. Such rights have been granted only to ward off inconvenience and disturbance from the shareholder, neighbor, and women, and what is proven for this purpose does not qualify to be used for financial gain as these rights have been given these rights (even at others' expense,) to avoid the potential inconvenience and disturbance, not to make a financial gain.

2.7.Customary Rights (الحقوق العرفية)

Generally, In the perspective of Hanafi school of thought, these rights cannot be traded. However, there is difference of opinion among Hanafi scholars regarding the right of way-/ Haqqulmurur. According to the Al-ziydat (famous book of Imam Muhammad bin Hasan Al-Shaibani) it is transferable, while the narration of kitabul Qisma pronounces othewise. According to Majallah the right of way and right of aggregation are tradable if they are attached to the land. The Majellah cites:

 "The sale of a right of way, and of a right of taking water and of a right of flow attached to land and of water attached to canals is valid". (pasha & Et al)

On the contrary according to three schools, Maliki, Shafi'I and Hanbali these rights are tradable.

Why did they differ?

This difference stems out from another disagreement about the definition of Mal, As dealing with the definition of Mal/ 'property', Muslims and western scholars have produced a variety of specific definitions to give clear and accurate picture of what does qualify to be considered " property/ Mal".

A general perception of Hanafi school is that only tangibles things can qualify to be a Mal, while most jurists is the opposite. Especially, in the modern era where electricity and gas are the most valuable assets, it is very difficult to confine the property to only tangibles. That's why the later and some well-versed and bigwigs of Hanafi fraternity- such as Imam Sarakhsi(1009-1090) and Ibn Abidin Shami(1774-1836) are OF the opinion that ''Being a '' Mal'' is based on the customary practice and acceptance of society, so what the people adopt as '' Mal'' will be considered '' Mal'', As they stated:

وإنما تتبنى المالية على التموّل.

والمالية تثبت بتمول كافة الناس أو بعضهم.

And the Majallat al-Ahkam al 'Adliyyah defines al-mal as a thing which is naturally desired by man and can be stored for the time of necessity either moveables or immovables property. (C.R. & and Effendi, I.H.,, 1967)

meant what people consider Mall Shari'ah would deal with it as Mall

Many scholars, including the famous Hanafi jurist Mustafa Zarqa (1904-199) of the recent past, have also adopted the same stance, and likely it seems to be even more favorable as the Hanafi jurists themselves have dealt with the easement rights, as property and accepted the effect on the value their implications on the value of commercial assets. (Al-Zarqa, 2004)

2.8.Right of renunciation from a post

Let us suppose:

If someone has a job or occupies a higher position. And legally he/she has the right to continue this job for the rest of his/her life, meanwhile, if someone offers him/her a sum amount to resign, will it be permissible?

The famous Mufti of Ottomans, Abu al-Saud said that renunciation is not a right to be sold, but it can be compensated''.

Ibn Abdin wrote:

ورأيت بخط بعض العلماء عن المفتي أبي السعود أنه أفتى بجواز أخذ العوض في حق القرار والتصرف وعدم الرجوع. وبالجملة فالمسألة ظنية، والنظائر المتشابهة للبحث فيها مجال، وإن كان الأظهر فيه ما قلنا، فالأولى ما قاله في البحر من أنه ينبغي الإبراء العام بعد.(Ibn Abdeen, 1412 AH - 1992 AD)

A similar stance is adopted by Shafi'i school, As Imam Ramli wrote:

وأفتى الوالد رحمه الله تعالى بحل النزول عن الوظائف بالمال، أي لأنه من أقسام الجعالة فيستحقه النازل ويسقط حقه. (Al-Ramli)

The father, may God Almighty have mercy on him, issued a fatwa permitting compensation for relinquishing a job, that is, because it is part of the Ju'ala' contract, so the worker deserves it and forfeits his right.

According to the famous Hanafi jurist Badr din al ayni, the treaty that took place between Hasan bin Ali and Muavia, may Allah bless both, can be a Shariah foundation for the permissibility of compensation against resigning or renunciation of a position. Al-ayni wrote:

وفيه جواز خلع الخليفة نفسه إذا رأى في ذلك صلاحًا للمسلمين، جواز أخذ المال على ذلك وإعطائه بعد استيفاء شرائطه بأن يكون المنزول له أولى من النازل، وأن يكون المبذول من مال الباذل.(Al-Hanafi, 2005)

2.9.Key-Money" (Money for Vacating a Property)

Another issue that lies under the compensation for renunciation is the "Key-money". According to the resolution of the OIC fiqh academy there are four types of the Key-money as follows:

- The agreement between the owner of the real estate and the lessee at the inception of the contract.
- The agreement between the owner of the real estate and the lessee during the lease period or at the end of it.
- The agreement between the original lessee of the real estate and the new lessee during the lease period or at the end of it.
- The agreement between the new lessee and both the owner and the first lessee, concluded before or after the expiration of the lease

If the owner and the lessee agree that the latter, in addition to the peri- odic rental, shall pay a lump sum (referred to in some countries as key money), there is no objection in Shariah to such an operation, provided that it is part of the rental for the lease period agreed upon. In the event the contract is terminated, the paid lumpsum shall be treated according to the rules applicable to rent.

If, during the lease period, the owner and the lessee agree that the owner shall pay a given amount to the lessee, against the acceptance by the latter to move from the premises for the remaining period of the lease This form of key money is permitted by Shariah because it compensates the lessee for waiving his occupancy rights.

However, if the lease expires and the contract is not renewed, either exp- licitly or implicitly, by virtue of an automatic renewal clause, key money is not allowed, for the simple reason that the owner is entitled more than anyone else recover his property once the lease contract expires.

If, during the lease period, the first lessee and the new lessee agree that the former shall evacuate the premises for the remaining period of his lease contract, against payment of an amount above the periodic rental, key money is permitted by Shariah, provided the terms of the contract concluded between the owner and the first lessee are strictly observed and the laws in force are fully compliant with Shariah.

With respect to long-term leases, unlike short term rental contracts, which are concluded under some laws, the lessee is not permissible to rent the premise to another lessee, nor accept key money, unless authorized by the owner.

However, if the agreement between the first and the new lessee after the expiration of the lease period, key money is not allowed, because the first lessee's right to use the premises has expired."

2.10. Rights to intangible assets:

Rights to intangible assets are including rights to trade name, trading addresses, trademarks, commercial licenses; intellectual property, technical trademarks, and industrial know-how, patents, and copyrights. (Accounting and Auditing Organization for Islamic Financial Institutions, Manama,)

As we stated earlier all these rights qualify to be property / Mal, hence they will be subject to all Shari'ah rulings.

3. Conclusions and recommendations

1. Majella al-Ahkam al-Adliyyah is a codified version of Shari'ah law, which even though primarily premised on Hanafi jurisprudential interpretation of Shari'ah. However, the opinions of other schools have also been taken into consideration. Therefore, it is not right to limit its applicability to a specific period or geo-location. Rather, it is just as applicable in the modern age as it was in the past.

2. The difference of opinion regarding the intellectual property, whether is it tradable or not stems from the definition and characterization of the property. the early Hanafi jurists characterized property as any physical and tangible thing which is naturally desired by mankind and can be stored for the time of necessity either moveable or immovable. On the other hand, according to the majority of Islamic jurists the property is something of value and if a person damages it, he will be liable to pay compensation. But as it has been discussed earlier, many bigwigs of the Hanafi school, have characterized the property as the Majority (Jumhur) of jurists did. In addition, in the

modern age, certain intangible things became very valuable. such as electricity and gas. consequently, abstract rights, like intellectual rights, trademarks, business licenses, and patents are tradable properties and are as subject to all rules and regulations as other physical and tangible ones.

3. Anyone who invents a tool, writes a book, or creates another video, audio, software, or trademark, owns not only the tool but also the formula. And it is not permissible to use it without its permission.

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و صلى الله تعالى على خير خلقه محمّد و آله و صحبه أجمعين

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الاعتياض عن الحقوق المجردة في الشريعة الإسلامية,

بيع الحقوق المتنازع عليها,

بيع الحقوق والمنافع

توريث الحقوق في الفقه الإسلامي والقانون

مجلة المجمع العلمي العربي ، دمشق ، المجلد. 28 ، 1373 هـ 1953

المعاوضة على الحقوق و الالتزامات2011.

II. SESSION: TODAY'S INTERNAL SECURITY PHENOMENON – I

MODERATOR: PH.D. CANDIDATE CAHİT TUZ

JOINT SECURITY PACT BETWEEN TÜRKİYE, SYRIA AND IRAQ

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Abstract

Anatolia and Mesopotamia are complementary parts of each other in every period of history as well as geographically, socially, politically, economically and militarily.

After four centuries of peaceful environment of the Ottoman Empire, Türkiye, Iraq and Syria, which were established in accordance with the interests of imperialists in the region after its collapse in 1918, have been held captive on the borders drawn by rulers as enemy brothers in a terrorist environment until today.

According to the changing world balances after the World War II; It was disturbed by the rapprochement between Türkiye, Syria and Iraq, which partially approached with the Baghdad Pact, which was established in a controlled manner in order to both control these countries and oppose Russia, and these countries were divided into hostile camps by military regimes established by the West through military coups.

In the civil war in Iraq, which started in 1991 and was actually occupied by the USA in 2003, and Syria, which started after 2011, with the support of the military bases of Russia, France, the USA and England, the systems of these countries were dismantled; In Iraq and Syria, it has gained huge areas east of the Euphrates in terms of water, energy, people and land, exceeding half of all Iraq and Syria. As a result of this, Türkiye has continuously installed concrete barriers and a security system on the border.

Within the scope of this study, the establishment of a cooperation water, oil, land and security (WOLS) pact for the neighboring Türkiye, Syria and Iraq to establish a joint defense force against terrorism and to facilitate the transportation of goods, services, technology, capital and people without removing the borders between them is explained.

Keywords: Pact, Security, Energy, Water, Land, Türkiye, Iraq and Syria.

1. The First Foundations of the Unity of Anatolia, Syria and Iraq During the Ottoman Era

500 years ago (1510), a protocol lasting 404 years was signed between the famous Kurdish Sheikh Mevlana Idris Bitlisi and Selim I, one of the most powerful sultans of the Islamic Union and the Ottoman Empire.

According to McDowell, Sheikh Idris Bitlisi was like this, although he was not liked by today's Kurdish unionists: He had the rare trait of gaining the trust of both the sultan and the Kurdish leaders. As a former Aq Qoyunlu officer, he had watched how he clumsily destroyed their local dependencies and had seen Shah Ismail go the same way.

As a noble Kurd, he knew the region well and understood the chieftain families and knew how to bargain with them. He was also highly respected as a well-known mystic and the son of a sheikh.

The main points of the protocol between Selim I and Sheikh Bitlisi against the Iranian threat in the East are as follows:

- The protection of the independence and freedom of the Kurdish provinces;
- In the event that the province is vacant from the ruler, it is passed to his son or it is decided according to the "old local custom" and the Sultan approves this with an edict;
- Kurds helping the Ottomans in all wars and the Ottomans helping the Kurds against external attacks;
- The Kurds give their zakat and religious taxes to the Ottomans.

With this agreement, thanks to the prudent Sheikh Bitlisi, who is seen as Abdulhamid-i Sani of the Kurds, the Kurds have survived until today without being subjected to an ontological break, especially the Iranian threat, and military occupation. According to McDowell, this period is the "golden age" of the Kurds.

Before and after the Battle of Chaldiran Victory (1514), when Selim I gave the task to the famous scholar and historian İdris Bitlisi, who advised him to conquer Eastern Anatolia, for the annexation of the Eastern and Southeastern regions to the Ottoman State; believing in the necessity of Islamic Union, especially Bitlis ruler Şerefüddin Bey, Hizan Meliki Emir Davud, Hısn-ı Keyfa Emir Ayyubid Halil II, Imadiye Judge Sultan Hüseyin, Jazira Judge Shah Ali Bey, Çemişgezek Judge Melik Halil, Pertek Judge Kasım Bey… In addition, tribes in Suran, Urmiye, Atak, Cizre, Eğil, Garzan, Palu, Siirt, Meyyafarakin, Sason, Sincar, Çermik, Malatya, Urfa, Besni, Harput, Mardin and similar places joined the Ottoman Empire one after another. Thus, the whole of the East and Southeast regions joined the Ottoman Empire within one or two months.

The annexation of the Kurds to the Ottoman Empire also mobilized the Arabs. For example, the following letter of obedience, which was presented to Selim I by an elite delegation of representatives, including Ibn Harkus, Ibn Said, Beni Ibrahim, Beni Sayim, Beni Ata tribes, Safed and Gaza sheikhs, and notables of Aleppo, is very significant:

We desire your obedience for the safety of our lives, property and religion. We consider your dominance essential for the practice of Islam and the establishment of justice.

Likewise, Ramadanid Emirate, which was subject to the Mamluk State based in Egypt at that time, became subject to the Ottoman Empire. Thus, while providing political unity in [Anatolia](#), the security of the eastern and southern borders of the Ottoman Empire was ensured against the danger of Iran in the east and the Mamluks in the south. And a perfect imperial path was opened to the Ottoman Empire, dominating three continents, extending to the Mediterranean through Arabia, Africa and, fifty years later, Cyprus (1571).

According to McDowell, from the sixteenth century onwards, the balance between the Ottoman Empire and the newly emerging Safavid Empire created the conditions for a more stable political structure in Kurdistan than had ever been seen. In fact, the conditions that emerged during this period determined the general line of political relations between the state and Kurdish groups for the next three centuries.

It is possible that in the middle of the nineteenth century the Kurds nostalgically looked back to see a 'golden age' of independent existence within the mosaic of Kurdish principalities. Again, according to McDowell, (Kurdistan) was an effective strategic balancing point between Ottoman Anatolia and Safavid Azerbaijan and caused Kurdistan to experience a period of relative stability in the long run.

Beginning with Idris Bitlisi, the loyal devotion of the eastern gentlemen and the Muslim people to the caliphate and sultanate continued until at least 1847. The Ottoman Empire saw the Kurds and these regions as the essential part of their country, which is Darul Islam; On the other hand, Muslim people and administrators regarded the Ottoman Empire as the flag-bearer of Islam and regarded obedience to it as their worship. Thus, with the voluntary participation of Kurdistan to the Ottoman Empire, the Ottoman Empire, especially against the Safavids, took a sigh of relief from the rear, while the Fertile Crescent, the area from Anatolia to Egypt, was freed from the same threat. The eastern borders of the Ottoman Empire did not change until 1918, with the conquest of Baghdad, which started with Suleiman the Magnificent and completed with Murad IV.

2. The Union of Türkiye, Iraq and Syria in the 21st Century

There is no such thing as the Middle East in history. For this reason, there was no state called Syria in the pre-Ottoman Middle East history. Today's Middle Eastern countries, especially Jordan, Iraq and Syria, are artificial states that were established by measuring according to the post-Ottoman interests of the British and French, such as the Near East, the Far East and the Middle East. Also, Lebanon, Kuwait, UAE and Qatar were also towns or fishing villages which are established from zero.

Within the scope of the Greater Middle East Project (GMEP) in the 21st century, the Middle East, which was reshaped this time according to the interests of the USA, is now divided into regions and provinces, primarily Iraq and Syria, Yemen, Libya and Sudan. This process continues with the GMEP strategy behind the Gulf War and the Arab Spring desert storm, and with the target from the Nile to the Euphrates for Greater Israel.

Historical cities such as Aleppo and Baghdad have been turned into ghost towns with terrifyingly effective weapons. Even Russia has achieved its two-century-old dream of reaching the Hot Waters with the bases it established in Syria in 2015. Israel has gained secure and stateless buffer zones from the Nile to the Euphrates.
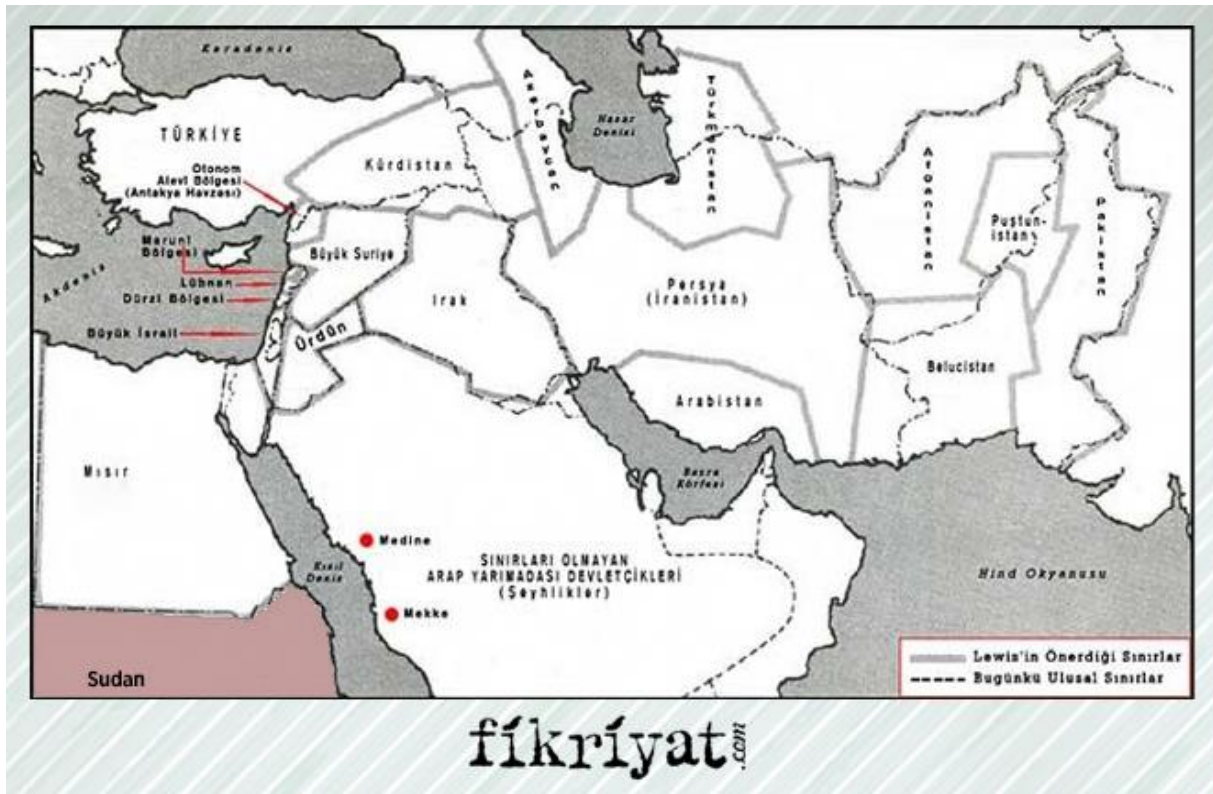
The demands for freedom of choice and speech, which are among the most basic rights, that started in the Daraa region of Syria, which was ruled by the half-century-old Baathist regime,

in March 2011, were answered in Sednaya Prison, where even children were killed with the most severe torture. In the words of a Syrian citizen who has been living as a refugee in Türkiye for 10 years, it has persecuted the people to such an extent that it can be said that even a stone should not live in this cruel regime, but the PYD is even worse than this regime.

In this process, which spread all over Syria in a short time and the regime came to the brink of collapse in October 2015, the regime and the colonialists implemented a two-pronged strategy in Syria: Giving the Kurdish-majority areas and the east of the Euphrates to the PKK, the Mediterranean coast to Russia and the rural areas between Aleppo and Damascus to Iran; Dozens of terrorist organizations, especially ISIS and PYD, have been used as air blow device to clean the leaves that fall on the streets in autumn in order to turn the Muslim people into refugees.

While 4 million of the 22 million Syrian population before the war dispersed to Türkiye, 1 million to Lebanon, and around 1 million to Europe and other countries, in this conflict where 1 million people died, a similar number of people took refuge in Damascus and Idlib. Thus, as the second Palestinian case study in ten years, the people with *land were transformed into land without people*. Türkiye is paying a heavy price with migration, security and financial problems by removing the 911 km border with Syria with thousands of acres of virgin land and using the Southeastern Anatolia Project (GAP) waters and lands bilaterally.
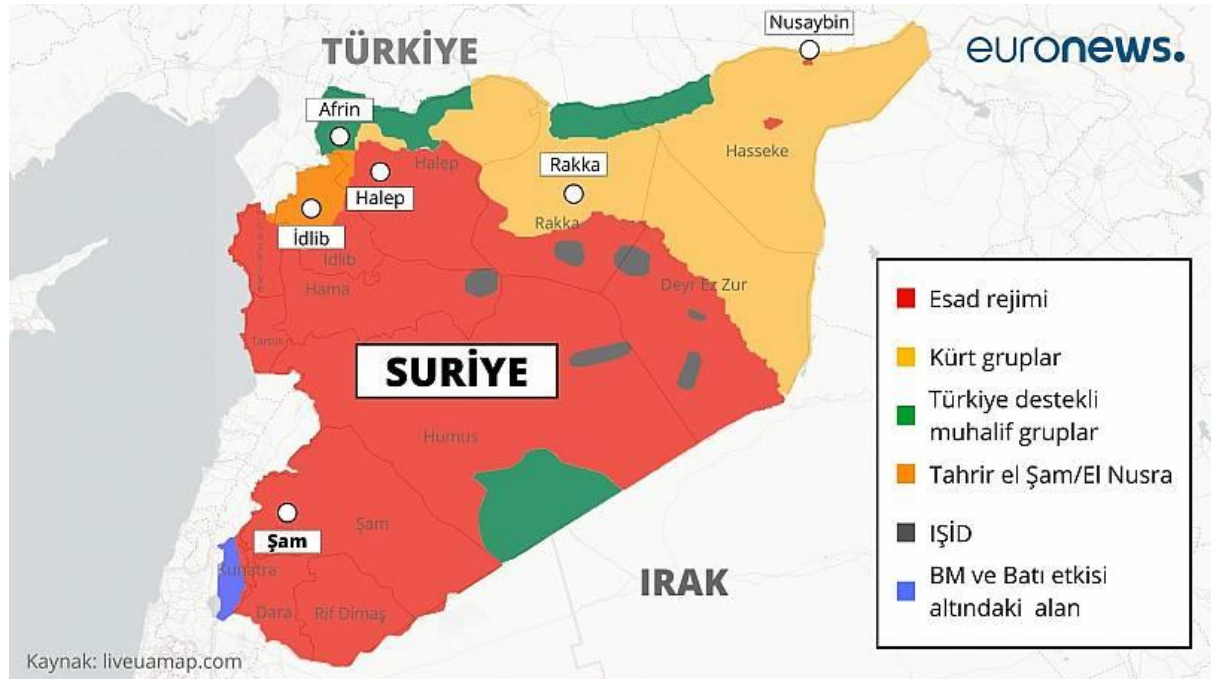
In the new Middle East, Iraq and Syria are divided into city-states. After Iraq, which was divided into three parts, Syria has been divided into at least five parts in this sense, and this structure

seems to form the basis of the future Syria. In other words, the Tartus and Latakia regions, the coastal region of Syria, will be under the control of Russia's air and naval bases. The east of the Euphrates is under the control of the PYD, under the auspices of the USA and Israel; while it is seen that Aleppo, Homs and Damascus region will be in the hands of the regime under Iranian control (Alawite), it is seen that Türkiye will control the southern borders from Idlib to Ras al-Ayn and these areas have been built within the scope of the GMEP as a Sunni statelet.

Two unexpected events took place in this war in which Syria was restructured. After July 15, 2016, Türkiye intervened in PYD-controlled Syria and got closer to Israel against Iran, while Russia started the Ukraine war and weakened in Syria. Thus, Türkiye has taken a step forward. Muqtada al-Sadr which said "Iraq first" to come to the fore in Iraq, and while Russia is releasing Israel in Syria, where it controls the airspace, against Iran, which it keeps away from the coast; the Astana summit has now become the place where only differences are expressed, and Sochi has also become a holiday city as much as Antalya.

3. Opportunities and Threats in the New Middle East Order

The structure, which was established about five centuries ago and defined as Pax-Ottomanica (Ottoman peace), was located at the Anatolian crossroads in the most complex regions of the world, the Balkans, the Caucasus and the Middle East, exactly one hundred years ago; It was established on the borders of the Sykes (British)-Picot (French)-Sazonov (Russian) agreement written on the back page of the Arab Empire paper. After the collapse of Pax-Ottomanica in 1918 due to internal and external reasons, a new process has been entered in this geography, which is located in the east of the middle compared to England.

In the Middle East, which was struggling with economic, social, military and political problems, first English-French (1918-1945) and then Russian-American (1945-1990) order was established. Since 1990, a period of uncertainty that cannot be fully defined whether it is unipolar or multipolar in the whole world is seen as bloody here.

In this order, which is defined as P5+1 in the global sense (USA, Russia, China, England, France and Germany), the globalization of new regional actors is not allowed. In other words, an India, Japan, South Africa or Brazil still has not found a suitable place in the UN. Especially the Islamic World, which is about two billion people, which makes up a quarter of the world's population, does not see the necessary value here. For this reason, the worst process in the world is experienced in a small Middle East, such as Syria, Iraq, Libya, Yemen, Pakistan and

Afghanistan, on global fault lines, namely the Islamic Middle East. Whereas, there are at least four regional actors here consisting of Türkiye, Iran, Egypt, Pakistan and Saudi Arabia.

While the wind of change in the Islamic World first turned into bloodless white revolutions in the social, economic and political fields with Menderes, Özal and Erdoğan in Türkiye since 1950, it was dragged into a brutal civil war with the Arab Spring that started artificially in Tunisia in December 2011. Syria, Assad's oppressors Iraq, on the other hand, have caused another disaster with the betrayal and heedlessness of Saddam, bringing Shiites, Kurds and Sunnis into conflict with each other over the past three decades. The essence of our topic also begins to appear here: What opportunities and threats does this process of global and regional change entail in the New Middle East?

First of all, it should be said: There are no people from Morocco to Indonesia who are not hurt here in this region. Including Arabs, Persians, Turks, Kurds, Armenians, Assyrians and Indians… But especially the Kurds, who are defined as orphans of the Islamic Ummah, the Palestinians who are wanted to suffer the fate of the Native Americans, the Bosnians, the last victims of the 20th century's genocide, the lily of the Balkans, and the Afghans, one of the most proud peoples of this world… They lived through perhaps the bloodiest last half century in the world's political history. For example, just as the Kurds were divided into four with Sykes-Picot-Sazonov, with the Balfour declaration, the joint text of the Zionists and Queens, the land of the Palestinians was given to the Zionists, who could not get enough of even the American lands. In 1995, the lands of the Bosniaks were given to Serbs and Croats with the Dayton Agreement, while the land of the Afghans was given to India (the northern Pakistani tribal region, which is similar to the Turkish-Iraqi border), which was under British control at that time with the Durand Line Agreement (1893) 102 years ago.

1. These rivers of fire can be both the threat point of this geography and the intersection points of a rapprochement between Arabs, Ajams and Turks like the European Union (such as the Baloch, Pashtun and Kurdish geography).
2. Euphrates, Tigris and Harran can be enlarged with GAP.

In short, there are greater opportunities than threats.

In the new Middle East, Iraq and Syria are divided into city-states. As of today, Iran has serious pressure on Iraq, Syria and Yemen through parallel states and organizations. In this sense, Syria is divided into at least five parts, and this structure seems to form the basis of the future Syria. In other words, the Tartus and Latakia regions, the coastal region of Syria, will be under the

control of Russia's air and naval bases. The east of the Euphrates is under the control of the PYD, under the auspices of the USA and Israel; while it is seen that Aleppo, Homs and Damascus region will be in the hands of the regime under Iranian control (Alawite), it is seen that Türkiye will control the southern borders from Idlib to Ras al-Ayn and these areas have been built within the scope of the GMEP as a Sunni statelet.

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The new Syria will now be a federal structure consisting of a weak Damascus administration with a decentralized and Arab identity and artificial borders. Türkiye, Russia, Iran and Israel are the main actors in the field. It is not thought that any country will leave their current places. While the protectorate of the Sunni region was given to Türkiye, the PYD was given the protection of Iran, the USA and Israel, and the region reaching the Mediterranean coast from Damascus was given to other countries except Türkiye as the Nusayri statelet.

At least 90 percent of the places to which the refugees who fled their countries for security reasons will return, and the grounds and owners of the title deeds have changed. The holding of new elections and a new Constitution will be conflict-oriented, which will produce a crisis, as in the case of Iraq. Because the interests of every country here are also in conflict. Therefore, a new peace that will be formed by the unification of Astana and Geneva will also be a cause of conflict in the future. Just as the World War I was the cause of the World War II. This is called sustainable conflict in the global sense.

According to the three-year study on the economic and social dimension of the Habur Border Gate, which I completed in 2015, at least 10 billion official and so much unofficial trade is carried out at the gate annually, which is more than Germany. However, the extension of the Baghdad railways to the Persian Gulf, by connecting to Mosul via Ovaköy-Tal Afar, next to the Habur border gate, which caused a loss of time and money due to overcrowding, is seen as a step beyond the Abdul Hamid II. This means rail and water routes to the plains and deserts of Mesopotamia, where our oil crisis and Iraq's water crisis will be resolved.

Although the Ottoman Empire ruled Iraq and Syria in peace for 400 years with a Governor and a few thousand soldiers, but with a system consisting of 90% local people, in Syria and Iraq, where the British and the USA could not manage together with Iran, with millions of dead and disasters, history shows the carpets of victory in front of Türkiye.

(Soviet weapons from the Saddam era on display in the courtyard of the Sulaymaniyah/Emn-u Sürekka Prison Museum, where the Iraqi Kurdistan Regional Government lived under the fear of Qasem Soleimani in November 2014, and a British gun carriage from the British occupation.)

For this, goods, services, capital, people and technology can move freely like the EU, but the borders will remain fixed, Water/Oil and Regional Security problems will be resolved fundamentally, starting with Türkiye, Iraq and Syria. For Iraq and Türkiye, Water and Oil is the first basic mortar for regional rapprochement, as is coal and steel (ECSC), which is the core of the EU. Visas should be lifted with Syria, as in September 2009, and a new border gate should be opened, including the railway that will extend to Iraq, Aleppo, Damascus and the Persian Gulf. Even the GAP waters, which are excessive in the Harran Plain, should be extended towards Syria, the Peace Zone.
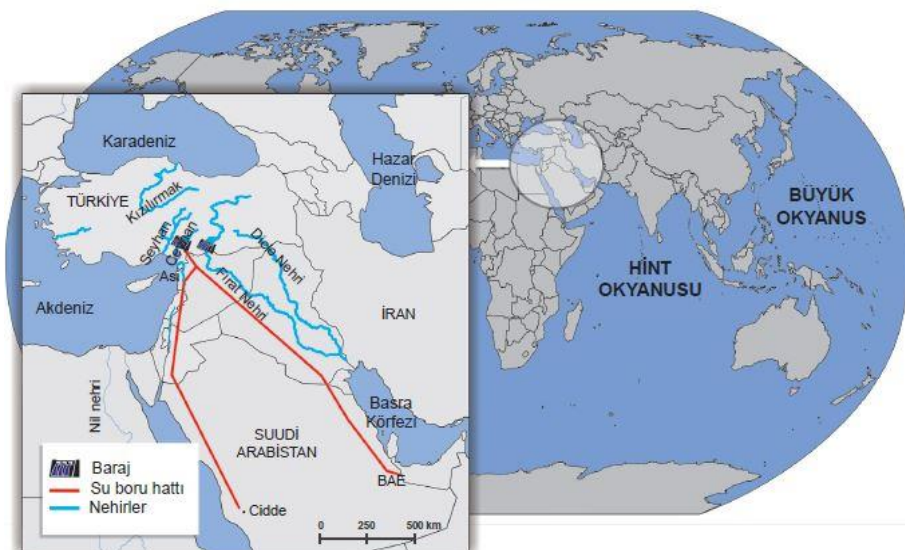
Iraq, which was created by the merging of Mosul, Baghdad and Basra Provinces, which were on the oil sea of the Ottoman Empire, by England, understood that it could not continue its existence as a state after 30 years; it got close enough to unite with Türkiye through the Baghdad Pact, and thereupon, when Prime Minister Nuri Said Pasha and King Faisal were coming to Istanbul, he was killed by a British-backed military junta, including his entire family, and his fate was shown to Menderes. The same situation has been repeated many times in the Middle East countries.

The Iran-Iraq war (1980), Iraq's invasion of Kuwait (1990) and the invasion of Iraq by the USA (2003), which took place after Saddam came to power, are the main controlled events that have made Iraq unstable until today. The geography of Mesopotamia was pitted against each other in line with the wishes of Aristotle, written 2300 years ago, and the USA and Russia were assigned as arbitrators.

The D-8, which was formed in difficult conditions, is an important force today.

First: Anatolia is the place where the West was stopped for a time out of mind. If Alexander had been stopped here, he would not have been able to go all the way to India and put a shawl on Buddha in Afghanistan. Because Europe cannot be stopped here, the Middle East and the world are in this state today. Even Russia went back 100 years, the memory card of Asia, China was enslaved by the West with the Cultural Revolution.

Therefore, the Asian Continent should choose Anatolia as a base for the priority security of the Mediterranean, the Middle East and the Caucasus as a defense shield and turn this place into a defense line and make a shield for the Asian continent. And most importantly, it is the Anatolian People, who are great, alive and united, who made the greatest revolution in Asia on July 15.

Second: The Mediterranean, the Balkans, the Middle East, the Caucasus, the Dardanelles and Istanbul, the Basra and the Red Sea Straits are the most strategic points in the world. These places can also only be controlled through Anatolia.

In addition to regional alliances, the Kurds, who are about to become a new Palestine or Israel could be the 'Kneecap' of a 'Triple' alliance to be formed between Iran, Syria, Iraq and Türkiye. Solutions based on the peace of this orphaned nation of the Islamic Ummah can be found easily. History is the biggest witness to this. What is the difference between Kurd and Turk? There is no difference between Turkish, Kurdish, Arab and Ajam. In this geography, which is our destiny, everyone has the opportunity to make a living. If the principle of "common history, culture, religion and common interest" is not acted upon in this geography, a disaster greater than Israel in the Middle East will come to our lands 3 or 5 years later through the PYD.

4. **Türkiye, Syria and Iraq: Water, Oil, Land and Security (WOLS) Pact**

It was the impossible dream of all of us to unite the Euphrates and Tigris with Harran, which we believed flowed from heaven to Mesopotamia, where writing, money, state and army were first established, but which we could not believe they would ever meet after a long separation. However, the GAP is currently running successfully.

Harran Plain and Türkiye's largest artificial river, the 221 km long Mardin main canal,

is the security gap in the region where water, land, gas and oil are present. It is seen that this is only possible with the security agreements to be made between Türkiye, Iraq and Syria.

First of all, in this pact, which will be made on the condition that the passage of goods, services, technology, people and capital across borders is facilitated, in Iraq and Syria, which are under the control of Russia, the USA and Israel, this should be prepared at least theoretically, although it is thought to be a dream for now. Because the power of Russia and the USA, which is stuck

in the swamp in Ukraine, is weakening and Israel is seen in trouble like the last Jerusalem Crusader County.

As a result of the Free Trade Agreement signed in Syria in 2007, where there are 9 border gates, 3,000 Turkish companies were actively working in Syria with a capital of more than 50,000 dollars. While 510,000 Syrians came to Türkiye in 2009, this rate increased by 76% to 900,000 people a year later. The number of Turks who crossed into Syria increased by 127% in the same period, including myself, reaching 1,164,209 people. At that time, our people made fun of the Europeans and said that if they have Schengen, we also have Shamgen. However, the Syrian civil war has brought this situation to millions by focusing only on refugees.

Today, our trade with Iraq has exceeded $20 billion, excluding oil, in our favor. Our borders exceeding 1000 km are covered with giant walls. However, today, with the agreement between Türkiye and Libya, both sides have put their swords in the Mediterranean. A similar situation applies to Syria and Iraq. This will contribute to the normalization of Iraq and Syria. Because the borders of Iraq and Syria are completely out of control.

First of all, with the WOLS to be made between Türkiye, Iraq and Syria, the global system of the 21st century can be affected. In this sense, a higher commission should be established between Ankara, Baghdad and Damascus. Threats, opportunities should be presented and academic conferences should be organized. ASSAM can be a coordination center in this sense.

Desks should be set up by assigning tasks to the commission, which will consist of Turkish experts and people from the region, who are experts in Iraq and Syria. After this theoretical preparation process, at least once, field studies should be carried out and reports should be submitted to the relevant countries.

There is also a need for cooperation between Iran and the Arab League. The convergence of this geography (WOLS), which is the core part of the Islamic World, will both solve the problems and create a new Bloc against the West and East.

5. Conclusion and Recommendations

After a century of disaster, why don't we rule today "free like a tree and brotherly like a forest" with common sense, pluralism and tolerance? Why should Damascus, Baghdad, Aleppo and Mosul be destroyed by a senseless fight between Islamic countries? Why should Westerners profit from our sectarian and ethnic conflicts?

In the first years of the Republic, although Mustafa Kemal himself made negotiations to establish a federation between Türkiye, Iraq and Syria, this was not possible due to the presence of England and France.

Half a century of exploitation in the post-Ottoman period, coups in the last half century, terrorist organizations and threats of turmoil can be turned into opportunities. Here, it needs a security pact to protect the Euphrates and Tigris rivers, the Harran Plain and Iraqi oil. This system, which is thought to be a mixture of Ottoman and European, can be seen as the last recipe for the salvation of the region.

Here, the synergy that will be created by combining Türkiye's qualified human and security force and Syria and Iraq with land and oil energy will have a positive impact on the region and humanity.

NATIONAL SECURITY IN THE UNITED STATES: INSTITUTIONS AND POLICIES

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Abstract

The United States of America constitutes one of the most important security systems in the contemporary world, and this importance is the result of the United States in a bipolar system after the World War II (1945); It increased even more with the rise to the top of the international system against the Soviet Union; It lasted until 1991 with the collapse of the Soviet system, and the USA has been at the apex of the unipolar international system since 1991;Until today, the international role has resulted in increased influence and effect. But on the other hand, threats and security risks to the United States of America escalated when it was exposed to the September 11, 2001 attacks targeting the most important symbols of America's military and economic power.

These events led to the formation of a special ministry of national security, which will unite many related institutions and departments that carry out their work under other roofs; President George W. Bush established the Department of Homeland Security within the White House just ten days after the September attacks, and on September 21, 2001, Pennsylvania Governor Tom

Ridge was elected to head that ministry. In his mission letter he said: "It will lead, supervise and coordinate a comprehensive national strategy to protect our Country from Terrorism and counter possible future attacks."

And Ridge has been tasked with coordinating nearly 180,000 employees of the nation's intelligence, defense and law enforcement agencies to protect the nation.

Bush's formation of this department in the White House was the start of a debate in Congress over the formation of the Department of Homeland Security in the broader federal government; Bush initially resisted the idea of transferring such an important responsibility to the bureaucracy, but he accepted the idea and signed it in 2002; Congress approved the formation of the Department of Homeland Security in November 2002, and Bush enacted legislation the same month and nominated Ridge as the first minister, whose appointment was confirmed by the Senate in January 2003.

Bush's purpose in establishing the Department of Homeland Security was to bring most of the government's law enforcement, immigration and counterterrorism agencies under one roof, Bush transferred 22 federal administrations and agencies to the Department of Homeland Security. This step was seen as the largest reorganization of federal government responsibilities since World War II.

The 22 federal agencies included by the U.S. Department of Homeland Security included: Transportation Security Administration, Coast Guard, Federal Emergency Management Agency, Secret Service, Customs and Border Protection, Immigration and Customs, Citizenship and Services, Office of Infrastructure Assurance (Department of Commerce), National Communications System (FBI), National Infrastructure Simulation and Analysis Center Infrastructure, Energy Assurance Office (Ministry of Energy), Federal Computer Incident Response Center (Public Services Administration), Federal Protection Service.

In addition, the Office of Home Preparedness, the Federal Law Enforcement Training Center, the National Oceanic and Atmospheric Administration Integrated Hazard Information System, the National Office of Home Preparedness (FBI), Local Emergency Support Team (Ministry of Justice), Medical Response System (Ministry of Health), System National Department of Medical Disasters (Ministry of Health), Office of Emergency Preparedness and National Strategic Stockpile (Ministry of Health), Bloom Island Center for Animal Diseases (Ministry of Agriculture).

Within the framework of these assessments, this study summarizes the most important policies on which the US (National) Department of Homeland Security is based to fulfill its duties, while addressing the determinants of the formation and development of the US (National) Department of Homeland Security and the organizational structures on which it is based. The study is discussed in three main studies as "Determinants of the Formation and Development of the U.S. Department of Homeland Security", "U.S. Department of Homeland Security Diagram" and "U.S. Department of Homeland Security Policies".

Keywords: United States of America, National Security, Institution, Policy.

1. Introduction

The United States of America constitutes one of the most important security systems in the contemporary world, and this importance is the result of the United States in a bipolar system after the World War II (1945); It increased even more with the rise to the top of the international system against the Soviet Union; It lasted until 1991 with the collapse of the Soviet system, and the USA has been at the apex of the unipolar international system since 1991;Until today, the international role has resulted in increased influence and effect. But on the other hand, threats and security risks to the United States of America escalated when it was exposed to the September 11, 2001 attacks targeting the most important symbols of America's military and economic power.

These events led to the formation of a special ministry of national security, which will unite many related institutions and departments that carry out their work under other roofs; President George W. Bush established the Department of Homeland Security within the White House just ten days after the September attacks, and on September 21, 2001, Pennsylvania Governor Tom Ridge was elected to head that ministry. In his mission letter he said: "He will lead, supervise and coordinate a comprehensive national strategy to protect our Country from Terrorism and counter possible future attacks."

And Ridge has been tasked with coordinating nearly 180,000 employees of the nation's intelligence, defense and law enforcement agencies to protect the nation.

Bush's formation of this department in the White House was the start of a debate in Congress over the formation of the Department of Homeland Security in the broader federal government; Bush initially resisted the idea of transferring such an important responsibility to the bureaucracy, but he accepted the idea and signed it in 2002; Congress approved the formation of the Department of Homeland Security in November 2002, and Bush enacted legislation the same month and nominated Ridge as the first minister, whose appointment was confirmed by the Senate in January 2003.

Bush's purpose in establishing the Department of Homeland Security was to bring most of the government's law enforcement, immigration and counterterrorism agencies under one roof, Bush transferred 22 federal administrations and agencies to the Department of Homeland Security. This step was seen as the largest reorganization of federal government responsibilities since World War II.

The 22 federal agencies included by the U.S. Department of Homeland Security included: Transportation Security Administration, Coast Guard, Federal Emergency Management Agency, Secret Service, Customs and Border Protection, Immigration and Customs, Citizenship and Services, Office of Infrastructure Assurance (Department of Commerce), National Communications System (FBI), National Infrastructure Simulation and Analysis Center Infrastructure, Energy Assurance Office (Ministry of Energy), Federal Computer Incident Response Center (Public Services Administration), Federal Protection Service.

In addition, the Office of Home Preparedness, the Federal Law Enforcement Training Center, the National Oceanic and Atmospheric Administration Integrated Hazard Information System, the National Office of Home Preparedness (FBI), Local Emergency Support Team (Ministry of Justice), Medical Response System (Ministry of Health), System National Department of Medical Disasters (Ministry of Health), Office of Emergency Preparedness and National Strategic Stockpile (Ministry of Health), Bloom Island Center for Animal Diseases (Ministry of Agriculture).

2. Problem on Work

Within the framework of these assessments, this study summarizes the most important policies on which the US (National) Department of Homeland Security is based to fulfill its duties, while addressing the determinants of the formation and development of the US (National) Department of Homeland Security and the organizational structures on which it is based.

3. Partial Work

The study is divided into three main studies:

First Research: Determinants of the Formation and Development of the U.S. Department of Homeland Security

Second Research: U.S. Department of Homeland Security Diagram

Third Research: U.S. Department of Homeland Security Policies and Operations

4. Determinants of the Formation and Development of the U.S. Department of Homeland Security

The Bush administration's understanding of national security priorities in the post-9/11 era was based on the United States' combined responsibilities as the world's greatest power. This perception led the Bush administration to rethink the meaning of American national security in

the context of a process that transcends traditional differences between conservative and conventional thinking.

Major national security themes redefined included (1):

1- Redefining the geography of national security: In the past, the geography of national security was defined by borders with foreign countries; Therefore, dangerous enemies had to have human and material capabilities to help them assemble and deploy armies, land and naval forces. But today the limits of national security can be anywhere in the world. In other words, national security threats in the new era do not come from the regional borders between them, but from within the society.

The effects of this redefinition are felt by every major national security agency in government. It is also evident from the major transformation affecting the executive branch of the administration with the establishment of the Department of Homeland Security and the reorganization of the Federal Bureau of Investigation to expand its activities; In addition, reviewing the performance of Intelligence agencies, establishing a new combined command and restructuring the Department of Defense; there has also been a shift in the fundamental relations between security agencies at various levels, leading to the disintegration of the basic cognitive framework upon which the national security system was built in the forties and fifties of the twentieth century.

The redefinition of the national security geography has affected the overall agenda of US foreign policy. Whether it deals with terrorism issues or public health issues, the division of security policy into two dimensions, internal and external, is collapsing. If the United States is to develop national security policies to reach societies, it must include fundamental principles and values.

5. Redefining the link between principles and power

The traditional picture of American interests evolved between realism and idealism during and after World War II. Realism is known for its focus on power calculations, while idealism

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[1] Philip Zelikow, "The Transformation of National Security Five Redefinitions", <u>The National Interest,</u> Spring 2003, pp.19.

focused on human rights, the global problem of poverty, and other aspects related to human well-being.

If this formula was suitable to describe political factions or political leaders individually, it was not considered to fit the current reality in the George W. Bush administration because it failed to capture the nature of the contradictions inherent in the particular US administration. Nor do they understand the new fusion of power and principle that has begun to influence the direction of foreign policy in the George W. Bush administration.

The US administration's understanding of working to achieve a strong balance favoring freedom, as outlined in the US National Security Strategy, subordinates calculations of power to the ability to support principles that affect the relationships between states and the conditions within them. The administration therefore stressed both power and its willingness to separate good from bad and right from wrong.

6. Redefining National Security Threats

The Bush administration sparked a worldwide debate, not just about the goals of American power, but about the goals of the entire international system. Supporters of the Bush administration's policy argue that the administration does not oppose the need to rely on international institutions to take collective action, but it is pressuring other countries to clearly define what they want, rethink how this might guide them in achieving those goals, and re-evaluate old habits in light of new realities. Supporters of the Bush administration added that opponents must either accept the new definitions of national security presented or offer coherent alternatives and act on the realities of the present, not the realities of the past.

Advocates of multilateralism called for greater reliance on international rules and frameworks for cooperation; This is based on the realization that this is necessary in order to address growing problems of international scale, to distribute the burdens of leadership, and to achieve the international legitimacy of the measures taken by the United States to achieve American goals ([2]).

In the early stages of their so-called war on terrorism, Bush administration officials focused on the specific tasks they had set for themselves: defeating the Taliban and removing Al-Qaeda from Afghanistan. And by 2002, a year after they came to power, they were not limited to

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[2] Stewart Patrick and Shepard Forman, <u>Multilateralism & U.S Foreign Ambivalent Engagement</u> (London, Lynne Rienner, 2002), p.1.

targeting another country or terrorist group; they were able to move towards a larger goal, a brand new way of thinking about America's relations with the world, and they prepared to launch a new campaign, furnished with speeches and strategic documents.

While the Bush team worked for some time around ideas developed during the Cold War in 2002, more than a decade after the collapse of the Soviet Union, many were eager to change these ideas and find new ones. In the aftermath of 9/11, they had a desire to make broad and lasting changes in the principles that guide American foreign policy. They were convinced that the United States had entered a new era that needed new concepts to guide it. During the events of September 11, 2001, Winston Churchill was an inspiration to the Bush administration team; After the events of September 11, 2001, they sought to tap into the historical patterns of leaders like Harry Truman, George Kennan and Dean Acheson, a group of men who formulated a new foreign policy and a new set of ideas to help the United States deal with the Soviet Union after WWII (3).

7. Establishment of the Ministry of National Security

In the context of this national security vision adopted by the George Bush administration, the US Department of Homeland Security (DHS) and its Homeland Security mission emerged from the commitment and determination of Americans in the United States after 9/11. Among the provisions reaffirmed by the constituent regime are: "In those dark times, we witnessed true heroism, sacrifice, and unity against evil. We have come together for our common defense, vowing to be united against threats to our great nation, our American brothers and our way of life."

"Together, we are committed to uncompromising resilience, working to prevent future attacks on the United States and our allies; resolutely responding to natural and man-made disasters, and advancing American prosperity and economic security into the long future.

"In the few years since 9/11, the Department has mobilized this collective vision to confront new and emerging threats to the nation. To do this, we instill a culture of uncompromising power across the United States to strengthen security, resist attacks, and recover quickly in the face of impending threats; We are raising the foundations of security worldwide, addressing systemic risks and building a redundancy on the critical lifeline that enables us to thrive and

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[3] James Mann, <u>Rise of the Vulcans</u> (New York: Penguin Group, 2004), p.311.

protect our lifestyle. Perhaps most importantly, we forge partnerships to advance public, private, and international cooperation and collective connectivity solutions that exceed the intentions of our enemies.

In addition to core values and guiding principles, six overarching Homeland Security missions make up its strategic plan:

1. **Combating Terrorism and Internal Security Threats:** One of the priorities of department is to resolutely protect Americans from terrorism and other homeland security threats.

2. **Secure Borders and Approaches of the USA:** The Department of Homeland Security secures the country's air, land and naval borders to prevent illegal activity while facilitating legal travel and trade.

3. **Ensuring the Security of Cyberspace and Critical Infrastructure:** Increasingly, people and devices connected to the Internet have created an ever-expanding attack surface that has spread across the globe and has reached nearly every American home.

4. **Protecting and Supporting the Welfare and Economic Security of the Nation:** America's prosperity and economic security are an integral part of the Department of Homeland Security's homeland security operations, which affect international trade, national transportation systems, maritime activities and resources, and financial systems.

5. **Improving Readiness and Endurance**: Preparedness is a shared responsibility between federal, state, local, tribal and regional governments, the private sector, NGOs and the American public.

6. **Strengthening DHS Workforce Advocacy and Management**: Since the founding of the Department, each Minister has recognized the importance of strengthening the integrated relationships between the headquarters offices and operational components in order to increase the efficiency and effectiveness of the Department.

8. Combating Terrorism and Internal Security Threats

One of the priorities of Department is to protect Americans from terrorism and other homeland security threats by preventing nation-states, their representatives, transnational criminal organizations, groups, or individuals from engaging in acts of terrorism or crime in the homeland.

In recent years, terrorists and criminals have increasingly adopted new technologies and advanced tactics to circumvent homeland security and threaten the safety, security and well-being of the American people and their allies. The rapidly evolving threat landscape requires a

proactive response from the Department of Homeland Security and its partners to identify, detect and prevent attacks against the United States.

The Department of Homeland Security's counterterrorism responsibilities focus on four objectives:

1- Collecting, analyzing and sharing actionable intelligence

Effective homeland security operations depend on timely and actionable intelligence to accurately assess and prevent threats to the United States. Accordingly, DHS works to enhance its intelligence gathering, integration, analysis and information sharing capabilities to ensure that partners, stakeholders and senior leaders have access to actionable intelligence and information to inform their decisions and operations.

The critical and legally mandated mission of the Department of Homeland Security is to provide intelligence and information to federal, state, local, tribal and private sector partners; the Department of Homeland Security has the largest customer base for intelligence products with a variety of topics and classification requirements.

9. Detecting and Stopping Threats

Terrorist threats to the United States have evolved significantly since the September 11 attacks; the Department believes that, despite its success in detecting and preventing complex, multilateral terrorist attacks, it continues to look for any vulnerabilities that could allow terrorists to launch an attack against the United States. While this major threat may seem great, decentralized terrorist groups have used the internet and social media to propagate terrorism and disseminate educational materials to inspire and exploit individuals in the United States to resort to violence. Terrorist narratives across the ideological spectrum increasingly encourage the use of simple tactics targeting large public gatherings using vehicular attacks, small arms, homemade explosives, or chemical, biological, or radiological materials.

To prevent these attacks, DHS believes that the Department of State and its partners must adopt a comprehensive counter-terrorism approach to prevent both domestic and foreign terrorism and to more decisively counter the terrorist threat to the homeland; administration also needs tools and capacities to address all forms of targeted violence, including threats to schools, infrastructure and places of worship.

Preventing enemies from exerting direct or indirect influence on the United States is crucial to homeland security; this is why DHS works with state, local and regional governments and private sector partners to stop these activities and raise awareness among citizens, while continuing to protect against foreign investment that threatens national security in the United States.

The Department believes that transnational criminal organizations and their affiliates also pose serious threats to the American people and homeland; Crimes include trade and trafficking in people, drugs, weapons, as well as money laundering, corruption, cybercrime, fraud, financial crimes, theft of intellectual property and the illegal purchase of controlled materials and technology. The Department of Homeland Security uses all law enforcement, border security, immigration, travel security and trade-based authorities to proactively prevent, detect, investigate, disrupt and liquidate these organizations.

10. Maintaining Established Leadership, Soft Events, and Goals

Ensuring the protection and safety of the United States' most elected leaders is an extraordinary responsibility that demands operational efficiency and DHS's appointed leadership has a highly skilled and motivated workforce combined with innovative technologies and advanced countermeasures to protect visiting foreign heads of state and government and private national security actors.

In addition, the Department of Homeland Security protects federal facilities and personnel throughout the United States, supports regional and local governments to protect events of national importance and enhance security for vulnerable targets. Particularly the Department of Homeland Security, sharing intelligence and analytics bulletins with homeland security stakeholders, developing best practices to counter attacks against vulnerable targets, promoting a dynamic process for assessing vulnerable targets; It leads efforts to address vulnerabilities and defend vulnerable targets by investing in the research and development of technological solutions. Together, these initiatives strengthen and help defend potential targets of terrorist attacks.

The department also conducts risk assessments of local special events occurring throughout the country; this assessment uses the special events assessment methodology (SEAR) to classify events by Risk Factors; and DHS supports the most serious incidents with federal coordinators to act as representatives of the department, liaising directly with state and local partners to coordinate support that helps address gaps in safety and security capabilities.

11. Combating Weapons of Mass Destruction and Emerging Threats

The proliferation of advanced and innovative technology, equipment, techniques and knowledge presents new and emerging threats to homeland security in the years to come. In the department's view, terrorists still intend to acquire weapons of mass destruction capability. Rogue states and non-state actors are aggressively developing, purchasing and modernizing weapons of mass destruction that can be used against the homeland.

Meanwhile, dual-use biological and chemical materials and technologies are accessible from the global market. As information and technologies evolve, rogue states and non-state actors have more opportunities than ever to develop, acquire and use weapons of mass destruction; The Department of Homeland Security is strengthening and integrating detection capabilities and countermeasures to address this profound threat to the United States.

Likewise, the development of drone systems, artificial intelligence, and biotechnology increases the opportunities for threat actors to acquire and use these capabilities against the United States and its interests; The Department of Homeland Security is assessing how these technologies affect homeland security and developing proactive solutions to mitigate future risks.

12. Securing US Borders and Managing Safe, Orderly and Humane Immigration Processes

The Department of Homeland Security (DHS) works to ensure border security while managing a safe, orderly and humane immigration system, and DHS focuses on protecting borders and keeping communities safe while managing a safe, orderly and humane immigration system. The Department of Homeland Security does this by facilitating legal trade and travel, and by strictly enforcing U.S. immigration and customs laws and regulations; The Department of Homeland Security's border security responsibilities include:

13. Securing and Managing Air, Land and Naval Borders

Security depends on operational control of air, land and naval borders to prevent terrorists, transnational criminal organizations and other threat actors from exposing the United States to malicious and illegal activities beyond our borders, including the trafficking of drugs, weapons and people; U.S. Customs and Border Protection (CBP) officers and agents enforce all applicable U.S. laws, including illegal immigration, drug trafficking, and illegal importation.

CBP's border security mission is being managed on multiple fronts. CBP officers from the Field Operations Office provide security and facilitation operations at 328 ports of entry; United States Border Patrol officers guard our borders, Air and Naval Operations officers (AMOs) provide support by land, air and navy. Agronomists are also deployed at ports of entry to protect U.S. agriculture from the entry of pests or diseases from external sources. In addition, CBP works closely with foreign counterparts across the border and region to identify and monitor threats to the United States.

The Department of Homeland Security also takes a layered approach to identifying and positively screening individuals to prevent known or suspected terrorists, as well as others who may pose a threat to our country, from traveling to the United States using evasive travel tactics.

The Department of Homeland Security continues to protect America's national and economic security by facilitating legal trade and travel and by rigorously enforcing U.S. customs and immigration laws and regulations. Part of this work includes tackling transnational organized crime activities to eliminate the flow of drugs, crime and violence into the United States while blocking outgoing illegal profits. It starts at land and naval ports of entry, where the Department of Homeland Security prevents illegal US markets when the Department of Homeland Security screens inbound goods, reducing the supply of drugs entering the United States and preventing trafficking and smuggling.

14. Protecting The Country from Potential Threats

The Department of Homeland Security fights potential threats head-to-head through a wide range of proven tactics and cutting-edge technology to defend the American people against serious threats. This broad approach includes international partnerships around the world as well as future deployment of border security operations such as intercepting patrols, customs and immigration investigations, and travel security assets. The Department of Homeland Security, in coordination with other federal agencies, is expanding its efforts to assist in developing investigation capabilities to collect and analyze advanced passenger information, develop a known and suspected terrorist watchlist, share information with international counterparts, and identify known and suspected terrorists.

Through efforts such as Operation Watchdog, the Department of Homeland Security also investigates and discharges transnational criminal organizations to eliminate threats to our nation from illegal activities such as human trafficking, and together these initiatives enable the United States to thwart outside threats long before they arrive on its territory.

15. Enforcement and Administration of US Immigration Laws

The administration and enforcement of immigration laws is critical to the national and public safety of the United States; The Department of Homeland Security continues to deal with individuals in accordance with United States law. Like anyone who does not have legal status in the country, persons attempting to immigrate irregularly to the United States are subject to deportation. Irregular migration poses a major threat to the health and well-being of border communities and to the lives of migrants and should not be attempted. The Department of Homeland Security is working to form a safe, orderly and humane immigration system by expanding legal routes to the United States and reforming the asylum system to strengthen it.

16. Ensuring the Security of Cyberspace and Critical Infrastructure

Increasingly, people and devices connected to the Internet have created an ever-expanding attack surface that has spread across the globe and has reached nearly every American home. As a result, cyberspace has become the most active threat area in the world and the most dynamic threat to the homeland.

Nation states and their agents, transnational criminal organizations and cybercriminals use sophisticated and sneaky tactics to undermine critical infrastructure, steal intellectual property and innovation, spy and threaten our democratic institutions. Cybercrime damages are likely to exceed $6 trillion per year (2021 statistics). In addition, the interconnectedness of critical infrastructure systems increases the likelihood of cyberattacks causing devastating kinetic and non-kinetic effects. With innovation, hyper-connectivity, and digital credentials all trumping cybersecurity defenses, there are all warning signs of a possible "cyber-September 11" on the skyline.

Critical infrastructure provides services that are the backbone of national and economic security and the health and well-being of all Americans. Cybersecurity threats to critical infrastructure are one of the most important strategic risks for the United States; Nation states target critical infrastructure to gather information and gain access to industrial control systems in the energy,

nuclear, water, aerospace and critical manufacturing sectors. In addition, advanced nation-state attacks against government and private sector organizations, critical infrastructure providers and internet service providers support espionage, intellectual property acquisition and maintaining continuous access to networks.

Meanwhile, the growing threat from physical terrorism and violent crime is increasingly localized, often targeting places such as shopping malls, theaters, stadiums and schools. Moreover, the emergence of hybrid attacks, in which enemies use physical and electronic means to inflict and multiply damage, is making the threat landscape more challenging than ever before.

17. The Department of Homeland Security's Cybersecurity and Critical Infrastructure Security Responsibilities Focus on Four Objectives:

17.1. Securing Federal Civil Networks

The federal government relies on confidential and verifiable information technology systems and computer networks for essential operations. The Department of Homeland Security and other federal civilian departments and agencies maintain extensive databases of national security information, personal data of US citizens, private information, and other important information. As a result, cyberattacks target government systems to steal information, disable and deny access to information, disrupt or destroy critical information systems, or operate a permanent presence that can track information or initiate a future attack.

The Department of Homeland Security operates as the federal agency for cybersecurity throughout the United States government; it encourages the adoption of common policies and best practices that are risk-based and respond to the ever-changing cyber threat landscape. In addition, the Department of Homeland Security collaborates with its cross-agency counterparts to deploy capabilities for intrusion detection, intrusion prevention, and near real-time cybersecurity risk reporting.

In deploying these capabilities, the Department of Homeland Security prioritizes security assessments, measures, and remediation for systems that could significantly endanger national security, foreign affairs, the economy, public trust, or public health and safety.

The Department of Homeland Security studies and promotes common policies and best practices that are risk-based and respond to the ever-changing cyber threat landscape. In addition, the Department of Homeland Security collaborates with its cross-agency counterparts to deploy capabilities for intrusion detection, intrusion prevention, and near real-time cybersecurity risk reporting.

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Public and private owners and operators operate a wide variety of critical infrastructures that support our economy and communities. These facilities provide critical national functions so vital to the United States that their disruption or dysfunction will have a devastating impact on the nation's security, economy, and public health and safety. Infrastructure owners and operators are increasingly faced with new risks and even hostile actions by the nation-state. The Department of Homeland Security supports owners and operators who provide critical national jobs by sharing intelligence, assisting incident response, conducting vulnerability and risk assessments, investing in the research and development of protection technologies, and providing other technical services to increase the security and resilience of our nation's critical infrastructure.

Alongside these key stakeholder initiatives, the Department of Homeland Security is collaborating with cross-agency partners to build a shared understanding of strategic cyber threats that can empower private sector network advocates, critical infrastructure owners and operators, and government partners to increase the resilience and security of national critical functions.

17.2. Assessing and Tackling the Evolution of Cybersecurity Risks

Infrastructure systems evolve rapidly to take advantage of new technology and opportunities to improve their services, and enemies are constantly evolving to circumvent heart defenses. As a result, DHS plays an important role in bringing together government, private industry and international partners to advance best practices and collective defenses that improve security and resilience across the United States' vast critical infrastructure and greater cyber ecosystem.

DHS leverages the National Risk Management approach to jointly assess cyber risks, develop plans for specific threats, and implement tailored solutions to protect our critical networks.

17.3.   Combating Electronic Crime

As cyberspace increasingly permeates every aspect of society, it has provided a new and sophisticated way for traditional criminal actors to engage in illegal activities that threaten the homeland security of the United States. This unlimited feature allows transnational criminal organizations and foreign crime actors to commit hacking, bank fraud, child abuse, data breaches, and other computer-assisted crimes without ever entering the United States. Because cybersecurity measures are a veiled response, the pace of innovation increases the complexity of this threat. As a result, the United States relies on law enforcement investigations to complement its defense capabilities to combat this threat.

Despite the tireless efforts of its homeland security agencies, the United States must do more to deter, detect, identify and bring cybercriminals to justice. Accordingly, the Department of Homeland Security implements its broad cyber policies to investigate cybercriminals and take decisive action to protect American citizens from the relentless barrage of cybercrime by cracking down and discharging criminal organizations. The Department of Homeland Security is working to expand multilateral cooperation agreements with international partners to reach cybercriminals from regions outside the United States.

17.4.   Protecting and Supporting the Welfare and Economic Security of the Nation

America's prosperity and economic security are an integral part of the Department of Homeland Security's homeland security operations, which affect international trade, national transportation systems, maritime activities and resources, and financial systems. In many ways, these functions, inherited from the Department of Homeland Security, are part of the Department's culture, as are counterterrorism, border security, migration, cybersecurity, and Emergency Management responsibilities. Likewise, many of the Department of Homeland Security's activities that advance this important component of homeland security affect the American public as much as the core security functions of the Department of Homeland Security. Accordingly, the Department of Homeland Security continues to advance these critical operations as it explores new opportunities to better serve the American people.

18. The Department of Homeland Security's Economic Well-Being and Security Responsibilities Focus on Several Objectives:

18.1. Enforcing US Trade Laws and Facilitating Legal International Trade and Travel

Enforcement of international trade law is of critical importance to homeland security, based on the natural relationship between US borders and cross-border trade. The United States faces anticompetitive trade practices, tariff evasion, counterfeit goods, and theft of intellectual property that hamper its significant legal revenue and harm American companies, their economic balance sheets, and individual consumers.

Protecting US business interests has become more complex as the globalizing market evolves and e-commerce rapidly expands its market share as a growing proportion of traditional trade flows. International trade often involves online marketplaces with extensive global supply chains that require modern business practice practices to prevent imports associated with forced labor products, counterfeit and dangerous goods, and anti-competitive practices from entering the United States. We will protect America's fair trade interests and fully enforce international trade agreements and related laws within the United States, rather than allowing other countries to profit at the expense of the American people.

The Department of Homeland Security strengthens business enforcement, security and facilitation capabilities to enable legitimate trade, contribute to America's economic well-being, and protect against threats to public health and safety. In addition, the Department of Homeland Security updates existing partnerships with members of the international trade community and expands existing safeguards and practices that prevent the importation of illegal and dangerous goods, forced labor products, and intellectual property law violations. By leveraging partner agency and industry intelligence, the Department of Homeland Security works to strengthen our global trade network and enhance supply chain security to ensure that goods entering the United States are safe for American consumption and consistent with our values.

18.2. Protecting the US Transportation System

The American economy and lifestyle is based on a robust transportation system with uninterrupted security measures that allow safe travel. The transport system therefore remains a significant target for terrorists determined to inflict mass casualties. Especially terrorist organizations continue to focus on commercial aviation with new tactics, technology and

weapons. The Department of Homeland Security is aggressively pursuing innovative technologies to detect and improve passenger authentication in the United States through biometric and biographical technologies and techniques. In addition, the Department of Homeland Security collaborates with international partners to raise safety and security standards for international air travel.

Alongside air transportation, the Department of Homeland Security continues to increase security at other transportation hubs, including ports, rail and other forms of public transportation, and pipelines, in close coordination with federal, state, local, and tribal governments and private sector partners.

18.3. Protecting US Waterways and Marine Resources

The ease and accessibility of America's waterways and the vitality of marine ecosystems contribute to thriving economic activity throughout the United States. Communities in the United States rely heavily on maritime trade routes, marine resources, fishing, and marine tourism. The expanded mission of the Department of Homeland Security supports these economic interests by enforcing regulations to protect the marine environment, managing maritime security programs and standards, maintaining navigational aids, conducting search and rescue operations at sea, providing ice breaking services, and conducting maritime defense operations. These key initiatives keep the US maritime jurisdiction, including the coastal environment, ports, exclusive economic zone and beyond, clean and safe from maritime threats.

18.4. Protecting US Financial Systems

Economic prosperity depends on global reliance on the US dollar and reliable financial institutions and payment systems as key providers of global trade. While the digitization of financial systems has facilitated trade and benefited the global economy, it has also exposed financial transactions to new offensive vectors. At the same time, digital currencies present new challenges to the department to prevent fraud. These new challenges place constraints on the Department of Homeland Security that require it to expand its workforce to keep up with the threat landscape, or to prioritize law enforcement investigations that address the most significant criminal threats and partner with other law enforcement agencies under its relevant authorities.

18.5. Department of Homeland Security and Enhanced Preparedness and Resilience

The United States will never be fully resilient to the current and emerging threats and risks in its homeland security mandate; Preparedness is a shared responsibility among federal, state, local, tribal and regional governments, the private sector, NGOs, and the American public.

Some events will exceed the capabilities of communities, so the federal government must be able to respond to natural disasters, physical and cyber-attacks, attacks on weapons of mass destruction, critical infrastructure failures, and distress signals in search and rescue.

After a disaster, the federal government must be prepared to support communities with long-term recovery assistance. By comprehensively preparing communities, responding quickly during crises and promoting recovery, the United States can effectively manage emergencies and reduce damage to American communities.

The Department of Homeland Security's Preparedness and Resilience responsibilities focus on four objectives:

18.6. Forming a National Culture of Preparation

The United States should strive for a future in which disasters cause less disruption and less destruction in our societies. The proliferation of disaster notifications and rescue costs over the past decade highlights the need for communities to better prepare for predictable natural events. Building more resilient societies and investing in mitigation measures is the best way to reduce the risks to communities from loss of life, economic disruption and infrastructure restoration.

The Department of Homeland Security promotes self-sufficiency in communities long before disaster strikes, by emphasizing pre-disaster mitigation efforts that strengthen infrastructure and strengthen existing structure, which can save lives and significantly reduce disaster recovery costs. In addition, the Demographic and Health Survey will enable communities affected by natural disasters to rebuild better, stronger and more resilient infrastructure to protect taxpayers' investments and properly prepare for future disasters.

18.7.   Intervention at the Time of an Accident

Natural and man-made disasters and emergencies can overwhelm even the most prepared governments, causing many deaths, widespread destruction, and economic and social damage. Affected communities need guidance, tools, supplies, and resources to provide Americans with the help and relief they need when they need it. Working with shareholders across the country, the Department of Homeland Security supports and enhances the communication skills of emergency response providers and relevant government officials in the event of natural disasters, acts of terrorism, and other hazards.

The Department of Homeland Security responds to incidents by engaging directly with community leadership to provide support; Coordinating federal response and recovery efforts by providing critical resources such as the Department of Homeland Security's surge capability, search and rescue assets, communications systems, technical assistance, and other incident response functions. This coordinated approach to emergency response enables the Department of Homeland Security to apply its full mandate and operational capabilities to support affected communities. For example, the Department of Homeland Security works with shareholders at all levels of government to maintain interoperable communications systems that support response and recovery efforts.

When it comes to biological and chemical events, the Department of Homeland Security works to identify, monitor and evaluate emerging threats to identify disease outbreaks and control the spread of health events. When cyber incidents require a national response, the Department of Homeland Security minimizes the immediate consequences and prevents the incident from spreading to other victims. These response capabilities ensure that communities in the United States are resilient to all threats and risks.

18.8.   Supporting Results-Driven Community Recovery

In addition to immediate response after catastrophic events, communities often require long-term national assistance to fully restore infrastructure, economic activities, social services, housing needs and other important government functions. The Department of Homeland Security is streamlining and integrating existing disaster relief processes to reduce the complexity of survivor support programs. In addition, the Department of Homeland Security works with all levels of government to design results-driven improvement that gives

communities greater control over their recovery. To complement these initiatives, the Department of Homeland Security matures a National Disaster Recovery Framework that will help communities rebuild stronger, reduce future risks and reduce the costs of disasters.

18.9. Training And Exercise of First Responders

The most effective strategies for emergency management are supported and implemented by the direct authority of the jurisdiction. When disaster strikes, individuals and local government act as first responders to resolve the incident and stabilize the situation. The Department of Homeland Security encourages community-building initiatives to strengthen the power of local networks and improve the practical skills of first responders so that more assistance, such as basic first aid, home care, and emergency planning methods, can be enabled.

18.10. Strengthening Workforce Advocacy and Management at The Department of Homeland Security

Since the founding of the department, each Minister has recognized the importance of strengthening integrated relationships between head offices and operational components in order to increase the efficiency and competence of management; Despite the great progress made in recent years in establishing the Population and Health Research Department and strengthening its functions, the department still has a lot to improve. Over the next four years, the Department of Homeland Security will continue to mature as an institution by increasing integration, clarifying roles and responsibilities, developing the workforce, strengthening risk-based decision-making, and increasing transparency and accountability to the American people.

19. The Organizational Responsibilities of The Department of Homeland Security Focus on Three Objectives:
19.1. Strengthening the Governance and Administration of Departments

Increased responsibilities with limited budgets require clear leadership, effective strategic prioritization, and management by departmental leadership. The Department of Homeland Security will continue to develop its role as an institution, including policy making, managing business operations, and other advisory responsibilities. The Department of Homeland Security also identifies and prioritizes its operational needs through a comprehensive management view

based on input from component operators and external shareholders. With this approach, the Department of Homeland Security applies comprehensive and robust analytical studies to identify and implement the best solutions for the country's homeland security investment.

19.2. Developing and Maintaining a High-Performing Workforce

Having a highly skilled, diverse, and engaged workforce is essential to accomplishing the Homeland Security mission, which is dependent on a dedicated employee doing their best to protect Americans from harm. Since its inception, the Department of Homeland Security has overcome the challenges of being in a gigantic organization with many moving parts by focusing on the core mission within the capabilities available; Despite many developments, the Department of Homeland Security continues to identify opportunities to increase the efficiency and effectiveness of management systems that support the workforce, while developing and maintaining leadership at all levels that inspires a competent and dedicated workforce.

Department of Homeland Security authority continues to highlight ministry-wide workforce participation and drive satisfaction; the Department of Homeland Security is making significant progress, as evidenced by increases in both the Employee Engagement Index and the Engagement Index. In addition, the Department of Homeland Security implements human capital solutions that identify and develop an ongoing pool of leaders who can attract and retain the best talent, foster creativity and innovation to maximize employee performance, and invest in career-building and initiatives to sustain and foster outstanding performance. Through dedicated workplace inclusion and employee engagement, the Department of Homeland Security works to strengthen the existing workforce and build the workforce of the future to fulfill its mission of homeland security.

20. U.S. Department of Homeland Security Diagram

The national security decision-making structure in the United States is based on a number of key institutions such as:

20.1. Presidency

The Presidency is the most important institution involved in the national security decision-making and management process; The President has the authority to initiate and propose policies in the "Letter of Union", in which he presents his recommendations regarding the actions he deems necessary and appropriate for their transformation into policy (Article 1/1/2);

It also gives the president all executive powers (enforcement of legislation and enforcement of policies). In the context of military policy, the constitution requires the president to be the supreme commander of the US military and fleet.

The President has the information resources that enable him to draft policy through the Presidency, subordinates and Central Intelligence and therefore has the authority to initiate; the presidency includes: American President and Executive Office of the President.

The Constitution established for the American president a set of powers of his own in the area of national security and foreign affairs, and another set of powers shared between him and Congress. The president's powers are represented in the power to initiate and propose policy in addition to enforcing laws and enforcing policies, and the constitution stipulates that the president is the supreme commander of the US army and navy. Under the Joint Powers of Congress, the president is empowered to sign treaties on the advice of the Senate and the consent of two-thirds of its members; it also appoints ambassadors, consuls, senior officers of the armed forces, and members of key institutions such as the Atomic Energy Agency and the Federal Reserve Board, on the advice and consent of the Senate.

The president's political interests greatly influence these shifting priorities and how national security issues get the most attention. The President is central to the maneuvering of national security decision-making. While other factors may also lead to changes in the decision-making process, these changes are made by the president or his chief advisors. These adjustments in the decision-making process are made in response to developments in the international and local political environment and/or the ways in which internal institutional and bureaucratic dynamics are affected by the changing political environment.

The president may also decide that he needs to make adjustments to the decision-making process if he begins to perceive problems or individuals differently. And these changes may not be caused by a specific event or any internal dynamic, but rather by the cumulative weight of events leading to a change in political visions. Changes in the decision-making process are not made unconsciously, they are conscious processes undertaken by the chief to adjust the decision-making process to what he thinks will serve him best. ([4])

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[4] Dr. Hala Abu Bakr Suudi, American Policy Towards the Arab-Israeli Conflict (Beirut: Arab League Studies Center, PhD Thesis Series "4",1986), p. 145

20.2.   Confederation Security Council

The US National Security Act of 1947 provided an important foundation in the reformulation and regulation of foreign policy, defense, and intelligence tools in the history of the modern American political system after World War II. Despite minor changes to this law, it remains the legal and practical reference for all United States activities in the field of national security. Pursuant to this law, the National Security Council was established as the body responsible for coordinating cooperation between various government departments and bodies on national security, examining their problems and advising the president in the form of plans and policies to take decisions in these areas ([5]).

According to its charter, the Council consists of the President, the Vice-President, the Ministers of Foreign Affairs and Defense, and the Head of the Civil and Defense Mobilization Department. The head of the CIA and secretaries of justice, energy, treasury, and homeland security, and by decree, military adviser to the president, deputy president for national security affairs, foreign economic policy adviser, deputy secretary of state, White House chief of staff and chief of staff appointed as White House secretary, etc. are added at the discretion of the President. The effectiveness of the board is determined according to the framework drawn by the President. For this reason, the Council has been used and organized differently according to different American presidents ([6]).

The National Security Council is the President of the United States' most important advisory group on national security and homeland security issues. The National Security Council is made up of about a dozen leaders from the army and intelligence community, who form the heart of homeland security efforts and policies in the United States.

The Council reports to the President, not Congress, and is so powerful that it can order assassinations of enemies of the United States, including those on American lands.

20.2.1. What does the National Security Council Do?

The law establishing the National Security Council defined its function as "advising the president on the integration of domestic, foreign, and military policies related to national security in order to enable the military services and other government departments and agencies to cooperate more effectively on national security issues". "

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5 William W. Newmann, Managing National Security Policy the President and the Process, op., cit, p.73.
35 D. Hala Abu Bakr Suudi, American Policy Towards the Arab-Israeli Conflict, previous reference, p. 147-151.

"In the name of national security, to assess the objectives, obligations and risks of the United States related to our current and potential military force in order to advise the President about them".

The law establishing the National Security Council is called the National Security Law, and the law determines the Board's bylaw membership to include: Advisors to the President, Vice President, Secretary of State, Secretary of Defense, Secretary of the Army, Secretary of the Navy, Secretary of the Air Force, Secretary of Energy, Chairman of the National Resource Security Board, and also to the National Security Council are required by law.

The Chief of Staff acts as the Council's military adviser, and the Chief of the National Intelligence Service acts as the Council's intelligence adviser; The President has the discretion to invite other members of his staff, administration, and government to join the National Security Council. In the past, the Chief of the General Staff, the Prime Minister, the Minister of the Treasury, the Deputy President for Economic Policy and the Attorney General were invited to the meetings of the National Security Council.

His ability to invite members outside the military and intelligence community to play roles on the National Security Council has sometimes caused controversy. In 2017, President Donald Trump used an executive order authorizing chief political strategist Steve Bannon to serve on the National Security Council Principles Committee. This move took many Washington observers by surprise. Former US Secretary of Defense Leon E. Panetta said: "The last place you want to put someone interested in politics is in a room where they talk about national security."

20.2.2. History of Confederation Security Council

The National Security Council was created through the enactment of the National Security Act of 1947, which provided for "the complete restructuring of the entire body of national security, both civilian and military, including intelligence departments." The Act was signed by President Harry Truman on July 26, 1947, the Department of Homeland Security was established in the post-World War II era to ensure that the country's "industrial base" could support national security strategies and policy development.

In the early 1940s, the complexity of world warfare and the need to work with the allies led to more structured national security decision-making processes to ensure that the efforts of the state, war and navy departments were focused on the same goals. In wartime and the early postwar period, there was an increasingly urgent need for an organizational presence to support

the president, given the multitude of military and diplomatic factors that had to make decisive decisions about the future of Germany, Japan, and many other countries. The first meeting of the National Security Council took place on September 26, 1947.

The President of the United States is the statutory head of the National Security Council, and the Vice-President chairs the Council in the absence of the President. The National Security Advisor has several subgroups of the National Security Council, as well as some surveillance powers, designed to deal with specific issues within the country's security body, including:

1. Committee of Delegates: This committee consists of the secretaries of the Department of Foreign Affairs and Defense, the Chief of Central Intelligence, the Chief of General Staff, the Chief of the Presidential General Staff and the National Security Advisor. Formed under President George W Bush, the committee was designed to ensure that the president and vice president are protected from too much secondary political deliberation. Thus, the main commission does not have a chairman or vice-chairman and submits its work to the full National Security Council for implementation.

2. The Representative Committee consists of the Deputy Undersecretary of National Security and second-degree civil servants. Its main responsibilities include gathering and summarizing information on the President, the Vice-President and the members of the National Security Council, meeting regularly in times of crisis. Otherwise, it considers the policy proposal to the full board.

3. Policy coordination committees: These committees are made up of the secretaries of the assistance departments. According to the presidential memorandum, its role is to "provide policy analysis for consideration by the higher committees of the national security system and ensure a timely response to the president's decisions".

The organization and work of the National Security Council has been criticized several times since the advisory group began meeting, such as for planning the invasion of Iraq and the overthrow of President Saddam Hussein under George Bush. He was criticized for his handling of the crisis in Syria under President Barack Obama under the leadership of Susan Rice, his opposition to the practices of President Bashar al-Assad and his failure to eliminate the chemical weapons he used against civilians.

20.3. Ministry of Defense

The 1947 National Security Act effectively reorganized branches of the armed forces; The so-called Ministry of War and the Ministry of the Navy were merged under a new name,

establishing the Ministry of Defense as well as the Ministry of the Air Force and placing all branches under the administration of the ministry of defense, as well as the formation of the Joint Staff, but providing some financial and administrative independence for the branches of the armed forces; and in addition to the chief of staff, a special secretary was appointed for each. With the exception of the Chiefs of Staff, the position of Minister of Defense and the secretariat of the branches are usually run by civilians.

The Department of Defense is the primary assistant to the President in all matters related to defense and national security, and three groups can be distinguished within the Department in this regard (7):

A. The Minister of Defense is consulted on high policy issues.
B. The Chiefs of Staff's roles in military aid-related matters emerge.
C. Regional specialists.

In the traditional competitive environment between White House and Department of State positions, the Department of Defense competes sometimes alongside the White House and sometimes alongside the Department of State.

20.4. Department of State

The Department of State is the executive body that implements US foreign policy and manages US foreign relations at the diplomatic level. The department is headed by the Department of Foreign Affairs and the deputy ministry but includes a large number of experts in addition to the policy planning body.

After the Cold War, the Department of State continued to fulfill its long-standing mission of formulating, implementing and interpreting foreign policy. It is agreed among ministry staff, particularly in US embassies abroad, that this role can largely be fulfilled through traditional diplomatic representation, negotiation and reporting functions.

But instead of directing American diplomacy to contain the Soviet Union as its main priority, the agency began to focus on a wider range of foreign policy challenges in the aftermath of the Cold War; The ministry became interested in building democracy, promoting and maintaining peace, promoting economic growth and sustainable development, addressing global issues and providing humanitarian aid (8).

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7 William W. Newmann, Managing National Security Policy The President and the Process, op., cit, p.73-81.
8 James M. Scott, ed., After the End Making U.S Foreign Policy in the Post – Cold War World, op. cit, pp.59-66.

20.5.   Department of Homeland Security

The Department of Homeland Security was established in 2002, replacing the first Department of the Interior in United States history. The Department brings together 22 federal agencies in the largest reorganization of the U.S. federal government since the formation of the Department of Defense after WWII. It includes the Department of Homeland Security, the Secret Service, the Coast Guard, the Customs Service, the Immigration and Naturalization Service, the Transportation Security Administration, the Federal Emergency Management Agency, and other agencies with security missions ([9]).

Tom Ridge, who was close to President George W. Bush, took over as secretary of Homeland Security with tasks related to integrating the organizational mechanisms and culture of the organization, such as business, accounting, personnel, and information systems. Ridge has established a security system that color-codes the magnitude of terrorist threats. Ridge was criticized by American citizens for raising the level of threat and unduly instilling fear in the hearts of citizens based on vague information, which led to the resignation of President George W. Bush at the start of his second term.

The Department of Homeland Security is the principal agency of the United States government whose mission is to prevent terrorist attacks on US lands. The Department of Homeland Security is a cabinet-level administration that traces its origins to the country's response to the September 11, 2001 attacks; Members of the al-Qaeda terrorist organization hijacked four American commercial aircrafts, crashing them into the World Trade Center towers. A field in Pentagon and Pennsylvania near New York City, Washington DC.

President George W. Bush first established the Department of Homeland Security as an office within the White House ten days after the terrorist attacks. Bush announced the establishment of the office on September 21, 2001, and named Pennsylvania Governor Tom Ridge as its leader. Bush said: "He will lead, supervise and coordinate a comprehensive national strategy to protect our Country from Terrorism and counter possible future attacks."

Ridge has been tasked with coordinating nearly 180,000 employees of the nation's intelligence, defense law enforcement agencies to protect the nation. Ridge talked about the importance of

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9 http://www.whitehouse.gov/agenda/homeland_security

his agency's role in an interview in 2004. Ridge said, "We have to be right more than a billion times a year, and that means we have to make hundreds of thousands or even millions of decisions every year or every day, and terrorists have to be right just once". Citing Noah's story in the Torah, one lawmaker described Ridge's challenge as trying to build an ark after it started to rain.

Bush's establishment of the White House office also started a debate in Congress regarding the establishment of the Department of Homeland Security in the broader federal government; Bush initially resisted the idea of shifting such an important responsibility to the Byzantine bureaucracy, but he signed off on the idea in 2002. Congress approved the formation of the Department of Homeland Security in November 2002, and Bush made the law into law the same month. He also nominated Ridge as the department's first secretary. The Senate approved Ridge in January 2003.

Bush's purpose in establishing the Department of Homeland Security was to bring most of the government's law enforcement, immigration, and counterterrorism agencies under one roof. As one official told The Washington Post, "So we don't do bakery jobs, we do them as a department." The President moved 22 federal departments and agencies to the Department of Homeland Security; This step was portrayed at the time as the largest realignment of the responsibilities of the federal government since the World War II.

The 22 federal agencies included by the Department of Homeland Security are:

1. Transportation Security Administration
2. Coast Guard
3. Federal Emergency Management Agency
4. Secret service
5. Customs and Border Protection
6. Immigration and Customs Enforcement
7. Citizenship and Immigration Services
8. Critical Infrastructure Assurance Office at the Department of Commerce
9. FBI's National Communications System
10. National Infrastructure Simulation and Analysis Center
11. Department of Energy, Energy Assurance Office
12. General Services Administration Federal Computer Incident Response Center
13. Federal Protective Service
14. Home Watch Office

15. Federal Law Enforcement Training Center

16. Integrated Hazard Information System of the National Oceanic and Atmospheric Administration

17. FBI National Home Preparedness Office

18. Department of Justice Domestic Emergency Support Team

19. Department of Health and Human Services Metropolitan Medical Response System

20. Department of Health and Human Services National Medical Disaster System

21. Department of Health and Human Services Emergency Preparedness and Strategic National Stock Office

22. Department of Agriculture Bloom Island Veterinary Center

Figure: U.S. National Security Agency Organizational Chart
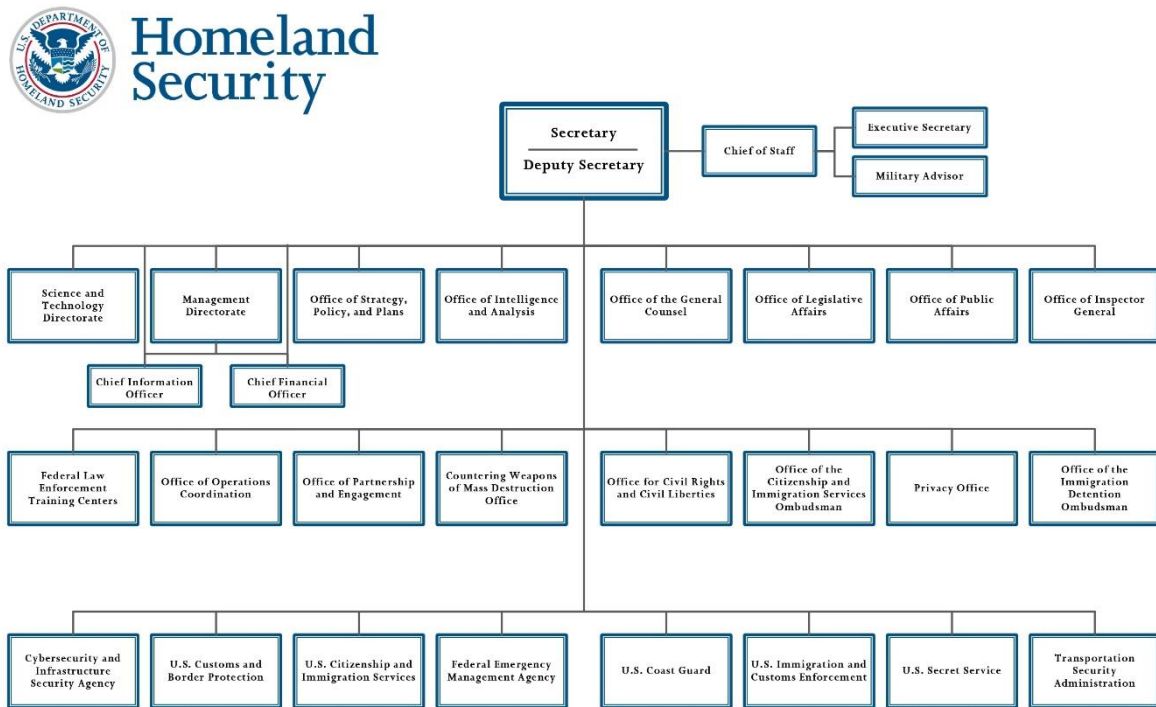
Development of departmental involvement in the Department of Homeland Security

Affiliation	**Administration**
US Customs Service (Treasury)	US Customs and Border Protection - Control responsibilities, borders and ports of entry

Affiliation	Administration
	U.S. Immigration and Customs Enforcement - Customs law enforcement responsibilities
Department of Immigration and Citizenship (Justice)	US Customs and Border Protection - US Border Patrol and Inspection

U.S. Immigration and Customs Enforcement - Immigration Law Sanction: Detention, deportation, intelligence and investigations

US Citizenship and Immigration Services - Terms and Benefit Programs |
Federal Protective Service	U.S. Immigration and Customs Enforcement until 2009, currently resident in the National Directorate of Protection and Programs
Transportation Security Administration (Transportation)	Transportation Security Administration
Federal Law Enforcement Training Center (Treasury)	Federal Law Enforcement Training Center
Animal and Plant Health Inspection Service (Section) (Agriculture)	US Customs and Border Protection - Agricultural import and entry controls
Home Preparedness Office (Justice)	Distribution of responsibilities within FEMA
Federal Emergency Management Agency (FEMA)	Federal Emergency Management Agency
Strategic National Stock and National Disaster Medical System (HHS)	Health and Human Services, July 2004

Affiliation	Administration
Nuclear Incident Response Team (Energy)	Distribution of responsibilities within FEMA
Local Emergency Support Teams (Justice)	Distribution of responsibilities within FEMA
National Home Preparedness Office (FBI)	Distribution of responsibilities within FEMA
Prevention programs against chemical, biological, radiological and nuclear (energy) incidents	Science and Technology Directorate
Environmental Measurements Laboratory (energy)	Science and Technology Directorate
National Center for Biodefense Analysis (Defence)	Science and Technology Directorate
Plum Island Veterinary Center (Agriculture)	Science and Technology Directorate
Federal Computer Incident Response Center (GSA)	Department of Cyber Security and Communication under the National Protection and Programs Directorate
National Communication System (Defense)	Department of Cyber Security and Communication under the National Protection and Programs Directorate
National Center for Infrastructure Conservation	It is divided into departments, including the Office of Operations Coordination and the Office of Infrastructure Protection

Affiliation	Administration
Energy Security and Insurance Program (Energy)	Built in Office of Infrastructure Protection
US Coast Guard	US Coast Guard
US Secret service	US Secret service

The following three directorates, established under the 2002 Internal Security Law, were abolished with restructuring in July 2005 and their responsibilities were transferred to other administrative units.

As structures expanded, the Department of Homeland Security was repeatedly called upon to deal with disasters other than those caused by terrorism. Cybercrime includes border and immigration security, human trafficking, and natural disasters such as the Deepwater Horizon oil spill in 2010 and Hurricane Sandy in 2012. The department also plans to provide security for major public events, including the Super Bowl and the President's Union [10].

20.5.1. Department of Homeland Security Agenda

A six-point agenda was developed for the Department of Homeland Security and was announced by Secretary Chertoff in July 2005 to ensure that Department policies, operations, and structures are aligned to best address potential threats (current and future) facing the United States.

The six-point agenda is designed to guide the department in the near term and bring about changes that will:

1. Increasing general preparedness, especially for disaster events,
2. Establishing better transportation security systems to move people and goods more safely and efficiently.
3. Strengthening border security, internal enforcement and immigration reform.
4. Increasing information exchange with partners,

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[10] Tom Morse, History of Department of Homeland Security, link: https://bit.ly/3T5IJUF

5. Improving the financial management of DHS, improving human resources, purchasing and information technology,

6. Reorganization of the DHS organization to maximize the performance of the department's core tasks.

To support the agenda, the Department has proposed reorganizing the Department of Homeland Security to increase its ability to prepare for, prevent and respond to terrorist attacks and other emergencies. The purpose of these changes is to better integrate the department and provide department employees with better tools to do their jobs.

1. A new political office has been established for the following purposes:
   - Being the chief coordinator at the departmental level for policies, regulations and other initiatives
   - Ensuring consistency of policies and organizational development across the department
   - Carrying out long-term strategic policy planning
   - Takeover of policy coordination functions previously performed by the Border and Transportation Security Administration (BTS)
   - This includes the Office of International Affairs, the Private Sector Liaison Office, the Homeland Security Advisory Council, the Bureau of Immigration Statistics and the Chief Asylum Officer.

2. A new intelligence and analysis office has been developed because of the following information:
   - Collecting from all relevant field operations and other parts of the intelligence community,
   - Analyzing by focusing on the task,
   - Being informative for senior decision makers,
   - And ensuring its distribution to eligible partners at the federal, state, local, and private sector levels.
   - This office consists of analysts from the former Information Analysis Directorate; It will consist of analysts within the former Information Analysis Directorate and will benefit from the expertise of other components of the department in the operations of collecting and analyzing intelligence information.

20.5.2. Increasing the coordination and efficiency of operations

A new Operations Coordination Manager was created, its reason is:

- Performing joint operations across all organizational components
- Coordinating incident management activities
- Using all resources within the department to turn intelligence and policy into immediate action
- The Homeland Security Operations Center, which serves as the country's nerve center for 24/7 information exchange and local incident management, will be an important part of this new office.

20.5.3. Increasing coordination and expanding preparedness assets

- Consolidating department-wide preparedness assets
- Facilitating and oversight nationwide preparedness efforts to support training of first responders, access to citizens, public health, infrastructure and cybersecurity, and ensuring that appropriate action is taken to protect high-risk targets.
- Focusing on cybersecurity and communication
- Responsible for fulfilling departmental responsibilities for coordinating response to biological attacks, including the new chief physician,
- This department-administered directorate will include the Office of State and Local Government Coordination and Preparedness, the U.S. Fire Department, and the National Capital Territory Coordination Office, responsible for Infrastructure Conservation, Assets and grants, training and exercises.

Rearrangement of other sections

a. **Enhancing national response and recovery efforts by focusing FEMA on its core functions.** FEMA reports directly to the Secretary of Homeland Security. To strengthen and enhance our country's ability to respond to and recover from natural or man-made disasters, FEMA will focus on its historic and vital mission: response and recovery.

b. **Engaging the Federal Air Marshal Service (FAMS) in broader aviation security efforts.** The Federal Air Marshal Service was transferred from the Immigration and Customs Enforcement Office (ICE) to the Transportation Security Administration

to increase operational coordination and improve efforts to achieve this common aviation security goal.

c. **Integration of legislative and intergovernmental affairs.** This new Office of Legislative and Intergovernmental Relations has combined certain functions between the Office of Legislative Affairs and the Office of State and Local Government Coordination to facilitate intergovernmental relations efforts and better share homeland security information with members of Congress, government and local officials.

d. **Submitting the Police Department to the Administration Department.** In order to improve the information systems, contracting activities, security accreditation, training and management of resources, the Police Department was handed over to the Undersecretariat of Administrative Affairs for the re-audit of this office.

20.5.4. Timeline

The 2002 Homeland Security Act (HSA) gives the Secretary of Homeland Security certain flexibility in creating, merging, changing, or terminating organizational units within the department. The mechanism for implementing these changes is notification to Congress as required by Section 872 of the Health Care Act, allowing the changes to take effect 60 days later.

Other proposed changes would require congressional action. The Department will work with Congress to achieve these common goals.

The agenda is based on the conclusions reached as a result of the Phase II review. The minister-initiated review examined nearly every component of the Department of Homeland Security to suggest ways the Department of Homeland Security could improve.

- Risk management in terms of threats, vulnerabilities and consequences
- Prioritizing policy and operational missions in line with this risk-based approach
- Establishing a set of preventive and protective steps that will increase security on multiple levels.

18 task forces of 10-12 subject experts and hundreds of public and private partners at the federal, state, local, tribal and international levels examined a wide range of issues, including:

- Risk/preparation
- Exchange of information and intelligence

- Performance measures

- Law enforcement activities

- Paying attention to external partners

- Security of supply chain

- Internal Communications and Culture of the National Security Department

- Research, technology and detection

20.5.5. Setting Up DHS Rules

The mission of the Department of Homeland Security is to provide a safe, secure and resilient homeland against terrorism and other potential threats; In most cases the Department of Homeland Security fulfills its mission by issuing regulatory procedures, the DHS regulatory agenda includes regulations issued by DHS components, including seven operational components with regulatory responsibilities. DHS is committed to ensuring that all its corporate initiatives are consistent with its guiding principles to protect civil rights and civil liberties, integrate our businesses, build alliances and partnerships, develop human resources, innovate, and be accountable to the American people.

20.6.   Legal Authorities

The following legal authorities provide some of the basic requirements for the federal rulemaking process:

Administrative Procedure Law: It manages the federal agencies' process of developing and issuing regulations.

The Organizational Flexibility Act: and whatever comes next. Requires federal agencies to consider the impact of regulations on small organizations when developing proposed and final regulations.

Executive Order No. 13272 on "Appropriate Assessment for Small Businesses in the Development of Agency Rules" directs agencies to develop procedures and policies to improve compliance with the Regulatory Flexibility Act: The Department of Homeland Security has "Organizational Flexibility Act and Executive Order No. 13272 compliance procedures" (November 3, 2004) that provide guidance to the Department of Homeland Security in meeting requirements for requesting access to resources and Executive Order No. 13272. "

Decree 12866 "Organizational Planning and Review" and Decree 13563 "Improving Regulation and Regulatory Review" (PDF- 3 pages. 144 KB); directs federal agencies to follow

certain rule-making principles, such as evaluating alternatives and carefully analyzing benefits and costs, and explains the role of the Information and Affairs Office in federal rule-making ([11]).

20.7. Department of Security and Infrastructure Protection from Hackers

In August 2018, Secretary of Homeland Security Kristen Nielsen announced the formation of a new center, the National Center for Risk Management; announced during the Cybersecurity Summit in New York City, the center's purpose is to protect banking services companies, energy companies and others, and other major cyberattacks that can bring down critical infrastructure.

The summit was an attempt to present a united front on prioritizing cybersecurity, which has become a major national security concern amid criticism from lawmakers that the Trump administration has not developed a coherent cybersecurity strategy, particularly in protecting the 2018 US congressional election from hacking or Russian interference.

The new center will focus on the energy, finance and telecommunications sectors, and the Department of Homeland Security will seek to accelerate the center's construction and start-up. The establishment of the center came with the government's awareness of the increase in sophisticated cyberattacks by external enemies, which could not only harm a company or industry, but also disrupt society as a whole. But changes announced by the Department of Homeland Security and a new congressional bill aimed at supporting cybersecurity initiatives in digital security could provide a good response to the defense against critical infrastructure breaches.

Announcing the new center, Nielsen said: "We are reorganizing for a new challenge." He described the new center as a point of contact for cybersecurity within the federal government, additionally, the Department of Homeland Security noted that it is working with members of Congress on organizational changes that the law may allow to increase its effectiveness.

To this end, Senators Maggie Hassan and Rob Portman announced a bill that envisions the formation of electronic search and response teams for cyber incidents within the Department of Homeland Security; these teams will defend the cybersecurity of federal and private organizations and assist in rapid response to incidents.

([11]) Official website of the US Department of Homeland Security https://www.dhs.gov/

Explaining the law draft, Senator Maggie Hassan said: "This legislation, which encourages private sector collaboration with cyber response teams, will help leverage the expertise of the public and private sectors to help prevent cyberattacks from the outset and mitigate their impact when they occur."

The Department of Homeland Security has also undertaken other projects, such as establishing a new congressional election security task force and a supply chain risk management program.

Nielsen spoke with increasing urgency about the risks facing the United States, saying: "If we don't take drastic measures to secure our networks, it's only a matter of time before we're hit hard; we have data to prevent and disrupt cyberattacks, but we don't share that data fast enough to do so."

Nielsen also added: "The National Risk Management Center will provide support to potentially vulnerable targets and run simulations, testing and drills across industries as part of an effort to assess vulnerabilities and threats to critical US infrastructure."

While a panel of senior intelligence officers and executives at the Cyber Security Summit in New York emphasized the importance of the National Center for Risk Management, AT&T CEO John Donovan quickly admitted that in some ways the US government is still trying to catch up, whether it's been obvious for 10 years ([12]).

20.8.   Role of Department in Protecting Digital Services

In December 2020, the US Department of Homeland Security issued a trade advisory warning US companies not to use digital devices and services created or associated with Chinese companies; The Ministry of Homeland Security said Chinese products could contain backdoors or confidential data collection mechanisms that Chinese authorities could use to collect data from Western companies and forward it to local competitors in order to advance China's economic goals at the expense of other countries.

The Department of Homeland Security states that China's national security laws allow the government to force any domestic company and citizen to modify products and engage in espionage or intellectual property theft, and the department defines this practice as data theft sponsored by the government of the People's Republic of China.

([12])   Portman, Hassan Introduce Bipartisan Bill to Bolster "Cyber Incident Response Teams" to Strengthen Cybersecurity, Protect the Homeland August 1, 2018, https://www.portman.senate.gov/newsroom/press-releases/portman-hassan-introduce-bipartisan-bill-bolster-cyber-incident-response.

Chad F. Wolf, Acting Secretary of Homeland Security, said: For too long, American networks and data have been exposed to China-based cyber threats that use this data to give Chinese companies an unfair competitive advantage in the global market.

He also added: Practices that provide the government of the People's Republic of China with unauthorized access to sensitive data, both personal and proprietary, put the US economy and companies at risk of direct exploitation, and we urge companies to exercise caution before entering into any dealings with a company related to the People's Republic of China.

In a separate letter, Wolf described China as a clear threat to American democracy.

The Department of Homeland Security released its trade advisory less than a month before the change of management, and President Biden is expected to appoint the head of the U.S. Department of Homeland Security next month.

U.S. officials under the Trump administration have focused on suppressing thefts of American companies in China.

In an interview in July 2020, FBI Director Christopher Wray said: Half of the FBI's 5,000 counterintelligence cases involve China stealing American technology.

The Department of Homeland Security warns US companies that Chinese theft can sometimes occur not only through business partnerships and insider threats, but also through digital devices and services.

As Department said: Any organization that chooses to purchase services and devices from Chinese companies should be aware of the economic, reputational and, in some cases, legal risks of doing business with these companies (13).

21. U.S. Department of Homeland Security Policies and Processes

In October 2020, the US Department of Homeland Security released its report on the security threats facing the US administration under Biden to highlight the extent of the role played by more than 240,000 employees in the department. This report was based on intelligence information and expert analysis; also it covers American threats, cyber threats, attempts by foreign influences to address the course of American internal affairs; the report divided

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[13] Acting Secretary Chad F. Wolf Remarks as Prepared: Homeland Security And The China Challenge, December 21, 2020. https://www.dhs.gov/news/2020/12/21/acting-secretary-chad-f-wolf-remarks-prepared-homeland-security-and-china-challenge.

American threats into cyber threats, attempts by foreign influences to manipulate the course of American internal affairs, economic threats and terrorism in all its forms, in addition to transnational organized crime, illegal immigration phenomena, and natural disasters.

21.1.   First- Cyber Threats

The report, which started with threats, divided them into three types, stating that cyber threats are at the top of the threats faced by the Department of Homeland Security:

1. **Threats of Nation States:** The report focused on threats from China, Russia, North Korea and Iran. The most dangerous of these has been explained to be caused by Russia, which has massive electronic capabilities that enable it to obtain classified military, economic, and political information that harms American national security, as Moscow carries out cyberattacks that exploit loopholes in various American networks. And in this way, it tries to disrupt vital processes within the American state. It is worth noting that Russia is forcing Russian companies operating in the United States to cooperate with it.

   And according to China, the report reveals that Beijing is threatening US intellectual property, and the report expects Chinese cyberattacks to evolve and focus on energy, defense, healthcare, information technology and manufacturing. In addition, the report points to China's persistent attempts to control the construction of fifth-generation networks globally, which threaten the national security of all countries, as Beijing can access sensitive information about all countries through these networks.

2. **Cybercrime:** It consists of ransom demanding programs, as well as email scams, impersonating people, and stealing information to blackmail or sell it to foreign enemies for large sums. As a result of these crimes, the volume of US losses in 2018 amounted to approximately US$2.7 billion.

3. **Cyber Threats to the American Democratic Process:** State and non-state actors attempt to influence American democracy by hacking into flawed state cyber networks. The report expects an increase in cyberattacks against US critical infrastructure by "cybercriminals" to obtain information and sell it to foreign parties for large sums.

21.2.   Second- Foreign Intervention Attempts

The report finds that attempts at foreign intervention seek to undermine American influence on the outside and stir up anger and hatred among citizens at the domestic level, this is done by waging a war of disinformation; for example, it exaggerates reports about Russia's political and

social divisions within the United States, and tries to spread gossip about American political opponents to tarnish Moscow's reputation with the American public.

The report shows that during the pandemic, China, Russia and Iran shared many misleading stories about the US government's inability to deal with the pandemic and the success of the Chinese, Russian and Iranian governments in containing the pandemic, and they created fake accounts on traditional media and social media to promote these fabricated stories.

The report adds that Beijing, Russia and Tehran are attempting to interfere in the 2020 US presidential election through misleading information wars on social media, as well as repeated attempts to hack websites linked to the election process.

The report referred to China's continued attempts to exploit the issue of independence in the resolutions of various states in the United States; as Beijing uses its "carrot and stick" economic policy within the most vulnerable states, cultural, commercial and medical agreements are being signed within the US State that yield soft Chinese penetration and economic gains.

21.3.   Third-Threat to US Economic Security

In this section, the report focused on China as a major threat to US economic security. He pointed out that during the pandemic, China is leveraging the influence of American supply chains to promote its medical and ordinary goods. Indeed, Beijing has managed to establish trade links with a number of countries, supplying them with inappropriate medicines and medical protective equipment (which does not meet international standards). For example, in the United States, about 750 thousand medical masks that did not meet the prescribed specifications and one million unauthorized tests for the Covid-19 pandemic were seized.

In addition to the above, China relies on its own student missions in the United States, where American universities and research institutions recruit these students to see the latest findings. In January 2020, a Chinese graduate student at Boston University was accused of smuggling the university's biological research to China for later personal use.

To prevent this, the US government is now keeping Chinese students under surveillance and restricting their travel to the US. Therefore, Chinese students are expected to go to study in countries other than the United States from now on.

In the report, Chinese investments, which have been observed to decrease in the last two decades, were also mentioned, and it was announced that the rest of Chinese investments were concentrated in certain areas such as technological areas. The report says that although the US

government has tightened its control over foreign investment, Beijing has been able to circumvent it by hiding behind brokerage companies. The report highlighted that China was the first country to violate US trade laws and intellectual property rights, costing the US about $600 billion a year.

21.4.   Fourth-Terrorist Threats

The report found that terrorist threats stemmed mainly from extremism that developed within the country, represented by anti-government groups and extremist individuals. The report distinguished two types of extremist groups: The first type are "domestic extremist groups" made up of US citizens not associated with foreign ideologies and opposed to US political events. The second type is represented by "local extremist groups" who are not necessarily American and support extremist ideologies and see foreign terrorist groups as their role models.

These groups have contributed to deepening social and political separations in the United States in 2020. It is worth noting that the corona pandemic has created the right environment to escalate violence in the United States, where individuals are suffering from loneliness and poor economic conditions due to social distancing rules and the restrictions imposed by the pandemic, which is why violence rates within the American country have increased.

In addition to domestic terrorism, the report also mentions external terrorism originating from foreign terrorist organizations such as Al-Qaeda and ISIS. It is noted that these organizations use social media to spread their extremist ideologies or to recruit individuals to carry out terrorist operations. It aims to conduct terrorist operations within the United States but these operations are unlikely to be carried out in conjunction with Washington's internal counterterrorism strategies and tightening the loop and external containment strategies. Despite this, these groups may target US aircraft and US military installations abroad.

The report referred to the dangers posed by Iran through its military arm, the Lebanese "Hezbollah", explaining that it had sought to conduct terrorist operations within the US state as US agencies had previously arrested individuals seeking to gather intelligence inside the US.

The report concluded this section by referring to "biological, chemical and nuclear threats" that have become a form of warfare. Some countries may resort to waging a biological war against the United States that will affect health and food security there. As for nuclear risks, they have increased significantly after a number of international powers tended to develop their nuclear capabilities, which in turn will affect the nuclear security of the United States. Because US nuclear facilities can be targeted.

21.5.   Fifth-Cross-Border Organized Crime:

In this section, the report touched on three factors:

First: Mexican smuggling gangs: They work to smuggle people, as well as all kinds of goods, from the southwestern borders of the United States. In the report, it was stated that the Corona pandemic and border closures reduced smuggling rates, but on the other hand contributed to the increase in violence rates within Mexico, which in turn undermined the security of the US borders.

Second: Illegal drugs: With borders closed during the pandemic, suppliers and smuggling groups have found other ways to smuggle harmful drugs such as heroin, cocaine, fentanyl and methamphetamine, with representation in less secure states which threatens the lives of American citizens.

Third: Human trafficking: This event was active during the Corona pandemic; People were persuaded to pay large sums to facilitate their entry into the United States; so that some would later be exploited as "forced labor" or as sex trafficking for adults or children.

21.6.   Sixth- Irregular Migration

The report noted that separations over the migration case within the U.S. state would make the issue of illegal migration a long-term concern for U.S. national security. The report divided migration routes into two types: Illegal migration by land and sea. They explained that the pandemic contributed to the reduction of the flow of immigrants from the Caribbean and Mexico, as well as from Central and South American countries, but that immigration rates are expected to increase with the reopening of the borders but will not return to pre-pandemic levels.

On illegal migration by sea, the report says that it is expected to increase due to climate changes in the Caribbean region, as well as the problem of food insecurity in Haiti, as well as political unrest in Cuba. It has been pointed out that immigrants will try to seek livelihoods within the United States. This requires an extensive presence of Department of Homeland Security units in the US coastal zone.

21.7.   Seventh-Natural Disasters

The report revealed that the United States witnessed the highest rate of hurricanes in 2020; By September, about 7 tropical cyclones have occurred; As of October 1, approximately 94 fires

had occurred, including 87 fires in September alone, causing the loss of approximately 5.37 million acres, air pollution and loss of large forest areas; All of this requires rapid federal and government responses, as well as collaboration between the public and private sectors to provide the necessary resources to confront and prepare for these disasters.

And the threats to the U.S. government in general have increased, which requires great effort and resources on the part of the U.S. Department of Homeland Security to ensure the stability and security of the U.S. state, and thus U.S. citizens ([14]).

22. The Role of National Security in the U.S. Counter-Terrorism Strategy

The Biden administration's new National Counterterrorism Strategy lays out a multi-layered approach to tackling a tough challenge and a growing threat. The White House strategy is based, in part, on increasing cooperation between the federal government and local governments, which is still difficult to achieve in practice. The strategy assumes that local police departments are best adapted to violent extremism in local contexts and that federal agencies can counter it; But the differing priorities and capabilities among local police departments will continue to pose a major challenge to federal agencies in their local counterterrorism initiatives.

The United States has suffered from domestic terrorism, particularly violent white supremacist groups and violent anti-state extremism; the report of the Department of National Intelligence made this clear; in the absence of domestic laws in the United States that designate organizations such as the Ku Klux Klan as domestic terrorists, much of the counterterrorism effort has focused on foreign terrorist organizations.

Over the last two decades, counter-terrorism resources have been devoted to fighting groups such as Al-Qaeda and ISIS and their regionally affiliated and supporting organizations. Within the United States, this threat was characterized by violent home-grown extremists whose violence was driven by Salafi-jihadist ideology; In most cases, direct contact with the central leadership of international terrorist groups was the main driver of violence. The spread of violent racial extremism, gun threats against the state, and violence within the United States was ignored by senior political figures but recently received due attention. This is largely due to the growing number of attacks that resulted in the violent uprising at the Capitol in

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[14] Homeland Threat Assessment", Homeland Security, October, 2020.
https://www.dhs.gov/sites/default/files/publications/2020_10_06_homeland-threat-assessment.pdf.

Washington D.C. on January 6, 2021. Only then did the issue of combating domestic terrorism become a priority, attention was drawn and the necessary resources were allocated for this.

Building on this growing interest, the White House released the National Strategy to Combat Domestic Terrorism, the first of its kind to prioritize "domestic" American terrorism. In this strategy, the Biden administration "focuses on the two deadliest units of the domestic terrorist threat today: Anti-state or anti-authoritarian violent extremists, such as racially or ethnically motivated violent extremists who advocate white supremacy and militia violent extremists." The strategy will need to address two major issues from the very beginning if it is to have a positive impact in tackling the local terrorist threat.

As with all government strategies that focus on violent extremism, the first challenge is how to protect civil rights as well as civil integrity. In many cases, the US government has failed to strike the right balance. Protecting the legally guaranteed freedom of expression, including hate speech, is not easy unless that speech poses a direct threat that can be proven legally, but its protection remains a crucial task. This issue has received and will continue to receive significant attention and requires a commitment to full transparency. We must continue to learn from other democratic countries trying to develop robust counter-terrorism measures while adhering to human rights considerations and the requirements of civil society actors in line with international human rights obligations.

Much less attention will be paid to the second critical challenge of how to implement a comprehensive strategy for a national problem that requires multiple tailored local approaches. In summary, local tactics and partnerships will be the ultimate determinant of whether this counter-terrorism strategy will be successful. The Biden administration's strategy includes four pillars, all of which require continued collaboration between the federal government and local, regional and state police departments.

This challenge is exacerbated by the fact that individuals in the US police force pose the same internal threat this new national strategy is trying to address. A significant number of police belong to armed white supremacist groups that abuse patriotic slogans, as well as groups such as the "Three Percent" and "Guardians of Accord".

Discussing this issue openly and reliably remains a daunting task. To complicate matters further, local police departments are facing an increased demand for calls to the 911 emergency number (many calls are not crime related, but still require a police response). There will be a lot of discussion in some departments about the new burden that strategy puts on itself.

However, it can be said that the more positive progress is made in the non-security dimension of the national strategy in the fight against domestic terrorism, the less the need to take security measures ([15]).

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[15] The role of local police in the new US strategy to combat domestic terrorism, release date, June 30, 2021, link: https://bit.ly/3Nr6mE9

HMEIMIM BASE…
RUSSIAN BRIDGEHEAD TO AFRICA

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Abstract

The Russian presence in Syria consolidated in 30 Dec 2015 was not Russian expansion to Syria only. Rather it was an expansion to the Mediterranean, and primarily toward Africa, where the Air and naval base played as springboard for supporting and shipping the arms arsenal, and mercenaries to Africa. This move has been accelerated after the withdrawal from there, by western and in particular the French forces. The American withdrawal as well from the Middle East region, and later on from Afghanistan has strengthened Russian ambitions. That has been reflected as weakness of the regimes dependent on their western allies.

The new base has played an important role in promoting Russian's influence in Africa, particularly in term of guarding and protecting the President of central Africa through Wagner group, and the same activities are also observed in Male, Libya, Sudan, and Mozambique, in those states the Russian have used the presence of Islamic state and al-Qaeda elements in order to justify its activities.

Hmeimim air base marks the continuation of the historic relations between the ruling Assad family and Moscow, since the Hafiz al-Assad allotted the Tartus navy base to Russia in 1971, just one year after he seized power, in order to protect himself. After almost four decades, his son Bashar did the same when he handed Hmeimim air base to Russia in order to protect himself from the wrath of his people. But for Russia the matter was much beyond that. The new base provided air cover for its navy base that was exposed all through the past period. Additionally, the base played an important role in Russian's strategy to outreach Africa.

Hmeimim has also been instrumental in servicing Russian air traffic to Benghazi and al-Watiya air base in Libya. The latter had been used by Moscow to fly aircraft to Venezuela before Khalifa Haftar's forces lost control of the base. Meanwhile, it is still difficult to ascertain the degree of Russian involvement in recruiting Syrians to fight on Haftar's side. However, recent reports at the very least support the thesis that Hmeimim is used as an assembly point from where Syrian recruits are transported to Libya. Even if this assistance is part of a bilateral arrangement between Assad and Haftar, Russia must have acted as a broker - especially given

reports that the fighters transported to Libya included not just pro-regime militiamen from the National Defence Forces, but also ISIS prisoners.

The base that has been enlarged to extend capacity to enable her to receive and deploy nuclear bombers and stealth bombers as well, like Su-57, and other aircraft that will deter the NATO countries. and expand the base as transit stop to shipping its military arsenals, particularly after Russia's success in keeping Assad in the power.

The military institutes in the world revealed that the Russia share of its military sales to Africa surpassed the West recently, where the percentage of Russia was 37.6%, while the American share was just 16%. Such military gains have been recently followed up with political gains during the voting in UN General Assembly, where 54 African states did not vote to support condemning Russian resolution of invading Ukraine, while only 16 states voted against Russia, rejecting the Western narrative that is of no interest for them in combating Russia in Syria.

Keywords: Africa, Russia, Syria, Hmeimim, Air Base.

1. Introduction

In recent years, the Khmeimim Base on the Syrian coast has created a real Russian bridge to expand into Africa and deter the West in the Mediterranean, where there are a number of countries on the other side facing the Arabian side. The history of Russia's presence on the Syrian coast dates back to the time of Syrian President Hafez Assad, who was keen to give Russia the Tartus naval base as insurance so that it could remain in power, especially in 1971, a year after he came to power. Nearly forty years later, his son Bashar Assad gave Russia the Khmeimim Air Base for the same purpose, to protect it from the popular anger embodied by the Syrian revolution. This provided air cover for the first time in four decades for a Russian naval base with open airspace. But Russia's goal was far beyond what Bashar Assad wanted, because what they wanted to do was first: The base was reinforced by the use of the base as a bridgehead for its presence in Africa after the Western retreat, and by the French withdrawing, particularly from Central African countries, Mali and others, and the American retreat in Afghanistan. Russia's exploitation of the Middle East by expanding it under the pretext of ISIS presence, Authoritarian regimes, the decrease in trust in the West's protection and support, and their resort to relying on them for protection, the biggest proof of this protection is Russia's investment in protecting Bashar Assad.

This article examines the geostrategic significance of the Khmeimim base and its expansion to serve purposes beyond Russia's fierce war on the Syrian revolution, while at the same time returning the base's raison d'etre to two strategic Russian goals, first: accessing Central Africa and severing it from Western domination; This reach is driven by Russia's growing role in Libya, Sudan, Egypt, Central Africa, Mali, Mozambique and others; It is exemplified by the multitude of forms and patterns of such access, from the transfer of mercenaries represented by the (Wagner)([1]) Company from Syria to relevant countries, or their use as a transit station. Also, the transfer of Syrian mercenaries to fight alongside rebel General Khalifa Haftar, Russia's ally in Libya; In addition, the transfer and sale of weapons to African countries, as well as serving Russian air bases in these countries.

The second strategic goal is: Expanding the base to deter the West, within which to deploy advanced air defense systems such as the S-400 and S-300, as well as to serve the deployment

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[1] Wagner, the largest private company for mercenary wars in Russia, reportedly has ten thousand fighters and its headquarters are in the Russian "Molkin" near the Russian Military Intelligence base. The company was founded in 2014 by retired Russian General Dmitry Utkin, who was a fan of Hitler. It is funded by Yevgeny Prigozhin, a Russian oligarch known as Putin's cook and close to the Kremlin.

of strategic nuclear bombers, CU57 strategic aircraft and nuclear warships; this is a spread that has nothing to do with protecting Assad and fighting ISIS, which directly targets the West and causes them to be in Syria.

2. The Khmeimim Base is Standing and Expanding...

The Khmeimim base came as a gift from the heavens to Russian President Vladimir Putin, who aspires to restore the glory of the Soviet Union, who previously described the collapse as "the greatest geostrategic disaster of the twentieth century". This grant provided air cover for the Tartus Naval Base, which has been exposed from the air since Syrian President Hafez Assad handed it over to the Soviet Union in 1971, causing Russia to kill several birds with one stone. With the MiG-29's failure to take off, collide and fall overboard from the Russian aircraft carrier at the Tartus base, Khmeimim Air Base's role as the only Russian expansion and advancement platform was strengthened. To meet the needs of the base in expanding its influence and influence, Russia resorted to the strategy of adding new territories to the base and increasing the number of its runways. ([2])This means that this military expansion is far beyond their military needs to suppress the Syrian revolution or fight the Islamic State.

3. Tartus and Khmeimim... Tools of Influence in Africa

Until 1991, there was no Russian Navy presence in the Mediterranean, except for one naval point to serve the Russian Fifth Fleet, corresponding to the American Sixth Fleet. Such services helped Russia with long-distance cruises to the Atlantic and Indian oceans. The dissolution of the Soviet Union had a negative impact on Moscow's spending on its bases abroad, so the Russian fleet was withdrawn from Tartus and remained a dilapidated service facility until 2012, mainly when servicing Russian naval vessels from the Black Sea. This confirms the military relationship between the Mediterranean and the Black Sea. With the outbreak of the Syrian revolution, Russia considered evacuating its naval facility, especially when the regime was faltering. However, the matter suddenly changed in 2015 when it was decided to invade Syria and renovate and expand the Tartus naval base to receive warships, including a nuclear-fueled ship. All this was done under the pretext of war against ISIS.

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[2] See the documentary film prepared by London-based Arab TV, broadcast on 23/12/2021 and screened on 10/20/2022 https://cutt.us/YyNc7

With the military expansion of Russia and the main joints of the Syrian state, it came to buying assets in the Syrian state, the base began to acquire trans-Syrian dimensions; Russia's move in 2018 succeeded in persuading Sudanese President Omar Hassan al-Bashir to visit President Bashar al-Assad of the Syrian regime in an effort by Russia to break the Arab embargo on the regime. A Russian plane from the Khmeimim base to Khartoum took off to bring him to Damascus and meet with Assad, which was hoped would be a prelude to normalization with the regime and return to the Arab League. Moscow had hoped that with this step, other Arab countries would follow suit; because until then he was angry that he had failed to invest in his foreign policy what he saw as a military victory in Syria and turn it into a political victory, the beginning of which was to break the siege on the Assad regime. With the fall of al-Bashir in a popular uprising in 2019, the main victim of this fall was the momentum of Assad's flotation wave and the siege on him was broken and regressed. General Abdel Fattah Al-Burhan, leader of the new Sudanese Military Council, has shown an unbridled desire for reform with the West and the restoration of historically strained relations between the Bashir regime and the West. He braked the normalization of Sudan with Assad, which was initiated by al-Bashir.

But this setback was offset by a Russian opportunity in Africa, with Central African Republic President Faustin-Archange Quadira withdrawing French support, prompting Moscow to fill the void; and President Faustan sent and supported the Wagner militia reinforced with weapons and ammunition, for which the Khmeimim base was used as a station and platform; Thus, Moscow violated the United Nations embargo on arms supplies to the Central African Republic, which a journalistic investigation of three Russian journalists mysteriously murdered in Africa revealed, was interpreted as crossing Russian red lines in the region [3].

On the 26th of last May, Western agencies observed the Russian MiG-29 aircraft taking off from Khmeimim base and arriving at Al-Jufra base in Libya, a clear testament to the central role played by the Khmeimim base in the growing Russian presence in the Mediterranean and Africa [4], A US intelligence report observed that 14 Russian MiG-29 and Sukhoi-24 military aircraft were flown from Russia to the Khmeimim base in Syria before taking off for Libya and painted there, to hide their Russian identities [5].

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[3] Exciting details about killing of Russian journalists in Central Africa, Al-Jazeera website 2/8/2018, citing agencies, viewed 10/20/2022 https://cutt.us/cCfzX
[4] Anton Mardasov: https://cutt.us/f9m6V , 28-5-2022
[5] Robert E. Hamilton, Chris Miller, and Aaron Stein: Russia's War in Syria: Assessing Russian Military Capabilities and Lessons Learned, Foreign Policy Research Institute, published by Library of Congress Cataloging-in-Publication Data, 2020. https://cutt.us/6MmLx

The Khmeimim base constituted a role and a new dimension in facilitating the air traffic of Russian aircrafts to the Libyan Al-Watiya base and Benghazi through the transfer of arms, ammunition and military equipment. Reports mention the base's role in sending mercenaries even to Venezuela. And that was before the forces of Khalifa Haftar, allied with Russia, lost the Al-Watiya base that played that role. One of the most important functions of the Khmeimim base was the transfer of Syrian mercenaries loyal to the regime to fight alongside Haftar in hopes of strengthening their allies and strengthening their presence in Africa; In addition to reinforcing its policy of bringing the Syrian regime to the surface in the middle of the Arab world, it later faced a strong Arab backlash; this event was evident in the turn in the moves of Jordan, Libya and even Egypt against normalization with the Syrian regime; however, this completely contradicts Russia's desire to turn its partial military victory into a political one; a deep Financial Times investigation quotes James Jeffrey, the former US envoy to the Syrian opposition, as saying: Russia's intervention in Syria in 2015 was not aimed at supporting Assad, but at strengthening Russia's influence in the Middle East and securing its naval base in the Mediterranean ([6]).

4. Khmeimim... Beyond Syria

Partial Russian military victory in Syria attracted Russian appetites to expand beyond Syria, so it decided to make its two bases in Tartus and Khmeimim advanced bases for enlargement and expansion. Experts believe that Russia's horizon after Syria and the Mediterranean is focused on greater involvement in the Mediterranean and a willingness to improve and develop in the coming years, as these bases support Russia's reinvestment in the Middle East and North Africa ([7]). The value of the Khmeimim base was revealed even in the Ukrainian war; Experts said that Russian naval vessels cannot continue and support forward naval deployment in the absence of support points to facilitate movement, especially as the Russian Northern Fleet passes towards the Red Sea and the Western Mediterranean ([8]).

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[6] Financial Times published on 25/7/2022 https://cutt.us/qDuof

[7] Robert E. Hamilton, Chris Miller, and Aaron Stein: Russia's War in Syria: Assessing Russian Military Capabilities and Lessons Learned, Foreign Policy Research Institute, published by Library of Congress Cataloging-in-Publication Data, 2020. https://cutt.us/BGT0I

[8] Ibid pp, 123.

It is inevitable and certain that the military and armament deployed by Russia in the Syrian bases will be used in the conflicts in the Middle East and North Africa, especially with the strengthening of its influence in the two regions; Thus, Moscow was able to present itself as an insurance policy for authoritarian regimes and weak states that mortgage themselves in exchange for protecting and supporting their regimes. Moscow saw this directly and in the short term, by siding with the head of the Syrian regime, which set a precedent for its ability to evade punishment, and the like, to evade punishment no matter what it did to its own people. In addition to the gains Russia has made from its presence in the two bases, it weakens the Atlantic influence in the southern Mediterranean, easing the Atlantic pressure on Russia, especially the Syrian naval base of Tartus, which is considered the only Russian naval base outside the territory of Moscow ([9]).

This Russian presence has repeatedly harassed the Americans in Syria, at the beginning of last September Russia sent a military plane to bombard the American base in Al-Tanf in eastern Syria, where hundreds of American forces are stationed, No casualties were reported, and then Russia did the same by sending a nuclear warship into the Mediterranean to deter NATO forces and provide external defense for their operations in the Black Sea ([10]). However, America does not remain silent about Russian and Chinese expansion by strengthening its presence in Greek bases, which worries the Turks; By launching the Eastern Mediterranean Gas Forum, which included Italy, Egypt, the Palestinian Authority, Israel, Greece, Jordan and Cyprus, the United States and the European Union turned to soft power, maintaining an observer membership. It is useful to say that; All the Russian preparations and deployments in Khmeimim, including the nature, types and even uses of the weapons deployed, clearly demonstrate that the Russian presence at the base is far beyond Syria, the suppression of the Syrian revolution and the fight against ISIS; Many military experts observing the Syrian reality said that Russia does not focus on fighting the Islamic State, compared to its enthusiasm to protect the Syrian regime and fight the revolutionary forces fighting it; With Russia's experimentation ([11]) with more than 320 types of weapons, he had the opportunity to promote the sale of Russian weapons, Sergey Chemezov, director of Rostec Arms, said in February 2017: "Military operation in Syria is free advertising for Russian missiles, aircrafts and warships". According to experts, the successes of Russian

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[9] - ibid, pp125.

[10] -Nicholas Saidel: The Eastern Mediterranean Requires a More Muscular American Strategy, 16/9/2022.

[11]- Minister of Defense of Russia: We tested more than 320 types of weapons in Syria, Anadolu News Agency, viewed on 7/14/2021, 18/10/2022, https://cutt.us/PqO3H

weapons were an important reason for changing the course of wars, which had changed significantly in favor of the Syrian regime forces; Moscow used these victories to proclaim in the political, economic and media the opportunity to test weapons on the battlefield as the best proof of their quality.

Professor Ivan Konovalov of the Institute for Strategic Evaluations believes that some Russian weapons will be in greater demand after their participation in the war in Syria and points out that the review of the capabilities of Russian weapons in Syria was successful; Despite the fact that the Russian military operation does not have a target ([12]) and the base is far from these goals, Russia's strategy is based on the West's reliance on Libyan oil and gas, and on Russian gas being a prisoner and hostage. An author in Foreign Policy stated "The proven oil reserves in Libya are 48 billion barrels and natural gas 53 trillion cubic feet, and it also has 39% of the total oil reserves in Africa, thus making Libya a potential energy giant on the brink of the European continent." In 2020, it sold 63 percent of its exports to the continent (mainly Italy, Spain and Germany), reaching a production of over 1 million barrels per day in 2021. Also, since 2020, the Wagner militia has moved into a position that allows it to interrupt all production in Libya and thwart any future effort by the European Union to reduce energy dependence in Russia by leveraging Libyan energy ([13]). Russian movement in the Mediterranean at the Khmeimim and Tartus base is coordinated with the Chinese movement at the Lebanese port of Tripoli and other ports facing the Mediterranean in Israel, Greece, Lebanon, Türkiye, Egypt and Syria; This influence could affect the maneuverability of the US and NATO in the region ([14]).

What appears to be a temporary tactical alliance between a triangle whose sides include Russia, China, and Iran has become a strategic alliance between these parties in Syria, and in Ukraine the price is paid by the West, especially America. All this took place under the guise of fighting with these parties against what they described as terrorism and extremism and was a pretext to

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[12] - Mortada Al Shazly: The experience of Russian weapons in Syria.. The war that gave birth to billions, 10/7/2017, wieved on 10/20/2022, https://www.noonpost.com/content/20179

[13] _Foreign policy: Russian presence in Libya is more important to Putin than the conflict in Ukraine, an article translated 7/10/200 by the Al Jazeera website, wieved on 18/10/2022. https://cutt.us/uY7Uq

[14] _ Any opportunity for China in Syria to strengthen its influence in the Middle East, London Arabs posted on 14.06.2020, Viewed on 20.10.2020, https://cutt.us/Ttxfg

deploy all their weapons and expand their influence in the region, at the expense of the decline in Western and especially American influence.

5. Summary

The article concludes that the Western complacency in overthrowing the Syrian regime since the beginning of the people's revolution has provided the regime with a golden opportunity to escape 12 years of punishment and will encourage other tyrants to follow suit. It has also encouraged Russia to support the Assad regime, which has used chemical weapons 217 times according to the White Helmets, as it becomes the core of a comprehensive Russian strategy that supports authoritarian regimes. This Western complacency has led Russia to strengthen two naval and air bases on the Syrian coast, whose aims seem far beyond Syria, and at the expense of the West's influence, especially in Africa, even in Ukraine, and perhaps beyond all that in the future. The article emphasizes that the Syrian wound, which has been contagious for years, is also transmitted to those around it through the transfer of Wagner militias and Russian interventions in African countries, and this situation will harm Western interests in a singular region.

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THE GROWTH OF THE EUROPEAN UNION AND ITS IMPACT AND IMPLICATIONS ON THE COMMON FOREIGN AND INTERNAL SECURITY POLICY

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Abstract

The Treaty on European Union (TEU) established the Common Foreign and Security Policy (CFSP) of the European Union in 1993 with the objectives of maintaining peace, enhancing global security, fostering international cooperation, and fostering the growth and consolidation of democracy, the rule of law, and respect for fundamental freedoms. Today, the European Parliament oversees the CFSP and actively participates in its growth, particularly by assisting the EU delegations, the EU Special Representatives (EUSRs), and the European External Action Service (EEAS). The CFSP's size and scope, as well as the EU financial tools that support the EU's international activities, are shaped by the budgetary authority of the European Parliament.

The main focus of this study is how the shared foreign and security policies affect the European Union (EU) and to what extent the powers of the European Parliament play in that decision. This study will also look at the development of the Common Foreign and Security Policy through treaty-making, the role and impact of the EU Parliament, and the track record of the EU's external relations and global strategies.

Through the use of numerous diverse sources, including perusing material on treaties, legislative reforms, and parliamentary decisions, and adopting a case study approach couched in descriptive analytics, this research paper will critically examine both the causation and correlation between the European Parliament and the CFSP in the past couple of decades.

Keywords: European Union, Foreign Policy, Security Policy. CFSP, EU Parliament.

1. Introduction

The common foreign and security policy (CSFP) is by no means the most contentious issue in relation to the enlargement of the European Union (EU), especially when compared to topics such as the common agricultural policy, the environment, budgetary concerns and the financing of enlargement, structural funds, and so forth. But the Union's expansionist narrative poses a new set of problems for its planning, decision-making, and execution processes for its CSFP.

Overall, the European Parliament (EP) believes that expanding the Union to include the nations of Central and Eastern Europe will increase Europe's security because doing so will inevitably lead to greater political stability.[1] For this reason, renewed momentum was given to the process of enlarging the Union. Additionally, it will expand the Union's overall population while also strengthening its diplomatic weight and strategic influence internationally. However, the CFSP will also be significantly impacted by an expanded Union of the existing 27 countries. The borders of the Union will change, and the political geography of Europe will be altered.

It will also be more challenging to determine common interests, and the repercussions and ramifications could extend to some Member States and candidate nations, as well as the Union's position on sanctions. The same will be true for the Union's interactions with groups such as the North Atlantic Treaty Organization (NATO). Moreover, the EU adopted the euro on January 1, 1999, which become a world-class athlete in terms of earnings, yet it is undeniable that its influence in foreign policy is out of sync with its economic strength. It is also obvious that there are still significant disparities between the EU's foreign policy and its trade practices. The current CFSP also limits Europe's ability to exert the kind of influence that is commensurate with its political, economic, and cultural prominence due to the difficulties in reaching a consensus.[2]

In this paper, I seek to identify the changes brought about by the Treaty of Amsterdam as well as the consequences of EU enlargement for the CFSP on specific entities of this supranational institution. It claims that the Treaty's provisions are unimaginative and achieve little in terms of coherence. It is true that the new CFSP instruments, such as a wide-ranging toolkit of common strategies, benefit from decision-making process, but is criticized for its continued

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[1] Koutrakos, P. (2018). Judicial review in the EU's Common Foreign and Security Policy. *International & Comparative Law Quarterly*, *67*(1), 1-35.

[2] Raunio, T., & Wagner, W. (2020). The party politics of foreign and security policy. *Foreign policy analysis*, *16*(4), 515-531.

reliance on unanimity as well as its complexity and inflexibility; amounting to little more than hyperbole.

To be sure, the combined foreign and security policy of the EU is based on diplomacy and adherence to international laws and is intended to resolve crises and promote global understanding. EU's foreign role principally includes trade, humanitarian aid, and development cooperation, among other things [3]. To enumerate, the goals of EU foreign and security policy are to maintain social harmony; bolster global security; promote global collaboration; develop and strengthen democracy, preserve the rule of law, and adhere to fundamental freedoms and human rights; highlight and implement EU foreign and security policy laws.

In the main, the EU maintains alliances with major powers in the world, including developing countries and regional organizations. It aims to ensure that these connections are founded on shared objectives and advantages. The EU also depends on ad hoc forces provided by member states as it lacks a permanent army. In order to monitor and uphold law and order, take part in peacekeeping operations, or give humanitarian help to impacted or displaced populations, the EU have traditionally dispatched missions to troubled regions and countries across the world.[4]

2. Action and Partnerships in Foreign Policy

To note, the EU's diplomatic representation is provided by the European External Action Service (EEAS). Administered by the EEAS, EU's principles and interests are preserved and promoted via an interconnected network of more than 140 delegations and offices around the world.[5]

3. Offices and Delegations of the EU Worldwide

The European Council, which consists of the heads of state and governments of EU countries, is the body that makes the final decision on foreign policy matters for the EU. The majority of decisions related to foreign and security policy require the consent of all EU member-states.[6]

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[3] Vanhoonacker, S. (2020). The Amsterdam Treaty. In *Oxford Research Encyclopedia of Politics*.
[4] Raunio, T., & Wagner, W. (2020). The party politics of foreign and security policy. *Foreign policy analysis*, *16*(4), 515-531.
[5] Biden Jr, J. R. (2020). Why American Must Lead Again: Recusing US Foreign Policy after Trump. *Foreign Aff.*, *99*, 64.
[6] Michaelowa, K., Reinsberg, B., & Schneider, C. J. (2018). The politics of double delegation in the European Union. *International Studies Quarterly*, *62*(4), 821-833.

4. International Roles of The EU

The EEAS oversees EU foreign policy priorities across the globe, including crisis response and civilian and military planning, in conjunction with the institutions of the European Union. The EU aims to battle climate change, support robust democracies, advance human rights, prevent and resolve conflicts, foster sustainable development, and support rules-based international order. EEAS's key task is to coordinate and bring coherence to international activities by the EU. Notably, the Lisbon Treaty lays out in detail how the EU shall conduct itself abroad as a European power[7].

5. Vice-President of the European Commission and High Representative of The Union For Foreign Affairs and Security Policy (HR/VP)

Josep Borrell Fontelles began serving as Vice-President of the European Commission and High Representative of the Union for Foreign Affairs and Security Policy (HR/VP) in December 2019. Working closely with the foreign and defense ministries of EU member-states and EU institutions, and forging partnerships with the UN and other international organizations are all part of HR/VP's responsibilities for strengthening the EU and giving it a stronger voice on the global stage. The HR/VP, who represents the EU as its top diplomat, directs and manages the organization's foreign and security policies. He is also in charge of the strategically vital European Defense Agency.[8]

6. General Secretary of the EEAS

The High Representative delegates the management of the EEAS to the Secretary-General. He is responsible for taking all necessary steps to ensure the smooth operation of the EEAS, including managing its administrative and financial operations. The Secretary-General gives the activities of EEAS a strategic direction and effectively coordinates its foreign policy with EU institutions, his counterparts in member-states, and non-EU countries, particularly through strategic and political dialogues. Stefano Sannino has served as EEAS's Secretary-General since 1 January 2021.

7. Headquarters For EEAS

The EEAS, which has its headquarters in Brussels but relies on a vast network of EU diplomatic representation abroad, brings together European civil employees, diplomats from the foreign

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[7] Costa, O. (2019). The politicization of EU external relations. *Journal of European public policy*, *26*(5), 790-802.
[8] Aggestam, L., & Hedling, E. (2020). Leaderisation in foreign policy: performing the role of EU High Representative. *European security*, *29*(3), 301-319.

services of EU member states, and local staff. Josep Borrell, the Vice-President of the European Commission and High Representative of the EU for Foreign Affairs and Security Policy, is in charge of the EEAS. Stefano Sannino, the Secretary General, and the Deputy Secretary-Generals support him in managing and professionalizing the day-to-day operations at the EEAS headquarters.

Both geographical and thematic directorates make up the EEAS: Asia-Pacific, Africa, Europe and Central Asia, the Greater Middle East, and the Americas are overseen by five main departments. Global and multilateral concerns, such as human rights, support for democracies, migration, development, crisis response, and administrative and financial matters, are handled by separate directorates. Strategic planning and crisis response divisions for Common Security and Defence Policy (CSDP) are also part of EEAS. The HR/VP receives military and security-related advice from the EU Military Staff, which also serves as the EEAS's key source of collective military knowledge.[9]

8. Key Tenets of Common Foreign and Security Policy (CFSP)

EU Member States resolved to create permanent political, military, and civilian organizations in order to allow the EU to fully discharge its obligations for crisis management and operate as a global security player. The EU assumes a prominent position in peacekeeping operations, conflict prevention, and bolstering of global security under Common Security and Defence Policy (CSDP).

The CSDP is an essential component of the EU's all-encompassing crisis management strategy, which makes use of both civilian and military resources. EU's involvement abroad is most evident in its military and civilian CSDP deployments and operations. Nearly 5,000 men and women work to strengthen resilience amid vulnerable environments while fostering peace and security where it is required. They represent the security and defense strategy of the EU. The EU has carried out more than 36 overseas operations employing civilian and military missions in a number of nation-states throughout Europe, Africa, and Asia since CSDP missions and operations were initiated back in 2003. There are now 17 active CSDP missions and operations, including 6 military and 11 civilian ones. The countries that make up the EU have vowed to implement a common foreign and security policy. In accordance with the ideals of the United

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[9] De Agostini, L. (2022). European Foreign Policy Unit Distinguished Dissertations on European foreign policy THE EEAS AT 10 AND THE HEADQUARTERS-DELEGATION NEXUS IN THE EU FOREIGN.

Nations Charter, the Common Foreign and Security Policy of the EU seeks to uphold international peace and strengthen global security. In accordance with EU treaties, CFSP is implemented by member-states and the High Representative for Foreign Affairs and Security Policy, as elucidated in the Treaty of Lisbon.[10]

Although not a member, Norway has demonstrated a renewed interest in strengthening its ties with the EU vis-à-vis CFSP as it begins to operate more as a good international citizen rather than be bogged down by the parochial interests of member-states or even supranationalism.

9. Conclusion

The paper has examined notable institutional initiatives that underpin the common foreign and security policy of the European Union, and how it can be impacted by political narratives and circumstances such as enlargement or its abandonment, as evidenced by the Brexit in the UK.

It has also offered a critical evaluation of the advantages and disadvantages of CSDP, and how it can influence decisions of CFSP from a defence and security standpoint. Going forward, as this paper seeks to demonstrate through a descriptive-analytic approach, the CFSP needs a fresh injection of reform and innovation, as does the bloated EU bureaucracy culminating in inertia when it comes to decision-making, and in this instance, on foreign policy matters.

The CFSP has to technologize itself in the digital age, embody humane internationalism and exercise flexibility amin unanimity so that the EU becomes a truly important cohesive player in the international community. Whether the EU enlarges or shrinks, it has to ensure that its roles and responsibilities as a good international citizen should not suffer as a victim of insular politics.

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[10] Sweeney, S. (2021). EU common security and defence policy. In *The Routledge Handbook of European Integrations* (pp. 427-455). Routledge.

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INTERNAL SECURITY IN EU
INSURANCE OF QUALITY OF LIFE AND PROTECTION OF VALUES: GUIDELINES FOR MUSLIM GEOGRAPHY

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Abstract

Within seven years (from end of 2003 till the beginning of 2010) European Union developed two important documents related to security of that intragovernmental organization. First was the European external security strategy, while in February 2010 the European Council complemented it by adopting the internal security strategy. As explained in introduction of document a firm commitment to continuing to make progress in justice, freedom and security through a European security model and improvement of cooperation and solidarity between Member States is crux of the matter. The concept of internal security, as mentioned, straddles multiple sectors to address major threats which have a direct impact on the lives, safety, and well-being of European citizens.

Security is a key factor for insurance of a high quality of life in European society, but also it means protection of freedom and democracy, core values of European Union, so strategy reflects Europe's shared vision of future not only of European continent but worldwide. This approach could be highly beneficiary for Muslim states in their efforts to create framework for mutual action. Parsing core values among Muslim nations should lead to awareness of high level of communality. In that sense elaboration of how mutual values can interact with internal security within Muslim Geography is an essential task for Muslim scholars. In this paper I will try to describe few of these common values from the perspective its societal and political importance.

Keywords: Internal Security, European Union, Muslim Geography, Model, Values.

1. Introduction

The social sciences in the West have gone far ahead of the rest of the world in at least two segments. In the first case, it is about the freedom of scholars in theorizing all social phenomena, trying to find frameworks and establish forms and variables within human experience. In the second, these theories become the basis for the construction of methodological procedures by which its premises are tried in reality.

We can understand that approach in the context of the dominance of the liberal paradigm and the Westerners constant search for new and better solutions. Another reason could be the rejection of authority, mostly traditional church organizations and especially during postmodern period. Instead of faith and a value system that was valid for a long-time, individual freedom became a prerequisite for all other issues. It was the combination of theoretical patterns and positivist sociometric methodology that gave impulses to social changes. The aim is to create new relations and new mankind, improved by people, through people's experience and based on people's materialistic understanding of the world.

That theorizing became also significant for the concept of internal security. Different kind of questions demanded different type of theory (explanatory, normative or interpretative), therefore overbridging the whole area by precise research intention was of the highest importance. As a result of these concerns the core question emanated trying to explain the emergence and dynamics of cooperation on internal security issues in the European Union.[11] (Bossong and Rhinard, 2016)

2. Internal Security

Internal security cooperation had a starting point in 1975 with the establishment of the TREVI cooperation.[12] One of the main reasons for that action was belief that Europeans should be more effective and better prepared for the threats if they face them together. But they didn't look for an ordinary security, Europeans wanted to establish internal security strategy which reflects the values and priorities they share. In that sense, the concept must be understood as a wide and

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[11] Raphael Bossong and Mark Rhinard. Introduction: Alternative Perspectives on Internal Security Cooperation in the European Union: Setting the Scene. In: Raphael Bossong and Mark Rhinard Theorizing Internal Security Cooperation in the European Union. Oxford University Press, 2016, 3-27.

[12] TREVI was an intergovernmental network, established outside of the then-European Community legal framework, of national officials from ministries of justice and interior created by the European Council Summit in Rome, Italy in December 1975. It is sometimes noted that TREVI stands for Terrorisme, Radicalisme, Extrémisme et Violence Internationale. It was ended when cooperation was integrated into the so-called Justice and Home Affairs (JHA) pillar of the EU when the Treaty of Maastricht came into force in 1992.

comprehensive concept which straddles multiple sectors in order to address these major threats which have a direct impact on the lives safety and well-being of citizens.[13] For Scandinavian researcher that Pan-European police cooperation is described as taking place in informal networks and through practices which are not officially recognized but created by police agencies as a 'necessary' answer to the new challenges and threats of the border-free Europe.[14]

The consolidation of a security model, based on the principles and values of the EU was a necessity. It means that respect for human rights and fundamental freedoms, the rule of law, democracy, dialogue, tolerance, transparency and solidarity are unavoidable axels of the concept. In this context EU internal security means protecting both people and the values. The challenge wasn't easy because European Union entered the 21st century with around 500 million people across the 27 countries with possibility of enlargement. Therefore, security through essential significance for multiple sectors became a key factor in ensuring a high quality of life in European society Secondly, protecting EU critical infrastructure is also important task. The definition of internal security is not simple while the goals are quite comprehensive.

(…) In the EU, internal security coexists in the institutional lexicon, past and present, alongside 'Justice and Home Affairs', 'Third Pillar', 'Police and Judicial Cooperation in Criminal Matters', and the 'Area of Freedom, Security and Justice'.[15] Our pragmatic definition of internal security corresponds most closely with the latter term, officially used to denote the collection of policies focused on security, rights, and the free movement of people. Concretely, this means border security, police matters, customs questions, and criminal justice. Some issues, such as civil protection, are not formally part of the EU's AFSJ but clearly seem to be part of any definition of internal security.[16] (Bassong and Rhinard)

To upgrade TREVI cooperation to the next level, the European Union adopted the European security strategy (2003), which looked at the external aspect of it. In February 2010, the Council complemented the European security strategy by adopting the internal security strategy

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[13] General Secretariat of the Council. "Internal security strategy for the European Union. Towards a European security model" 2010 doi:10.2860/87810

[14] Ekengren, M. (2008). The interface of external and internal security in the EU and in Nordic policies. The Broader Dimensions of Security

[15] The 'first pillar' of the EU refers to Treaty of Rome-based activities ('Community' activities such as trade, the common market, etc.), the 'second pillar' to the Common Foreign and Security Policy (and now the European Security and Defence Policy), and the 'third pillar' to cooperation in Justice and Home Affairs.

[16] Bassong and Rhinard, *ibidem*

approved by the European Council in March 2010. These documents and actions are core for the creation of European security model.[17]

The Lisbon Treaty and the Stockholm program enable the EU to take ambitious steps in developing Europe as an area of justice, freedom and security. The strategy was focused on common threats and challenges; EU's common internal security policy and the principles and European security model. The principles and guidelines European security model derivates from the Treaties of the Union and set out in the Charter of Fundamental Rights. Clearly that fundamental rights, international protection, the rule of law and privacy, transparency and accountability, tolerance, respect and freedom of expression, solidarity etc., are core principles. But mutual trust surpasses all as a key principle for successful cooperation.

I will not go into the details of The Model trying to explain how it is organized, what kind of mechanisms are established, how intelligences are conducting their protocols, which analytical tools are used or which security policies are effective or ineffective, the status of operational cooperation. All these questions should be addressed to professionals who can elaborate it. What I find interesting are the principles, reasons behind those principles and rational stronghold mutual for Europeans. Moreover, I am trying to detect why Muslim geography cannot be so rational and act in principle and by the principles.

3. Guidelines for Muslim Geography

EU member states had its own dilemma from the beginning. One of the most important issues was and still is a question of sovereignty. National state and its agencies versus intergovernmental organization which is trying to encompass them under one umbrella is a battle that continue to provoke Europeans. For Muslim Geography that question is even more provoking. Thinking for example about MENA region one cannot imagine that it can be one area where border control will be abolished or centralized intelligence office will be established. The most possible answer is that national states do not want to lose their sovereignty.

What does this European unification tell us? I believe that the first lesson is related to the European matured awareness of the senselessness of constant conflict. Let's not forget that the European continent is actually a continent of war. All these differences, all these aspirations for

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[17] "Internal security strategy for the European Union. Towards a European security model"

power led the European ethic groups and nations towards religious, political and any other intolerance.

The second lesson is related to political thought. Europeans managed to overcome all these above-mentioned differences and incorporate them into a unique worldview. On the basis of democratic traditions, the value system, financial and economic relations, cultural matrices and educational approaches were created. Legal acquis too. The problem of the relationship between the national state and the supranational structure still exists, but the construction of the European internal security model is a great witness that this is also being successfully overcome.

Muslim nations could and should learn the first lesson, the advantage of unity, much more easily than Europeans. It is not that they did not fight each other nor that there are no significant tensions today, but there is a very important advantage. In historical experience, Muslims have positive examples of unity, and the EU, with its development, only further shows them that this is the path they should return to.

Therefore, Muslims can re-start that entire process on pre-defined general relations. If the view of the world is the as we say we accept, meaning that the Quranic discourse essentially creates it, then we should build the issues of financial and economic relations only on technical solutions because they are already given. The value system is as it was from the time of the Prophet s.a.w.s. until the collapse of the Islamic order at the beginning of the 20th century. Cultural matrices based on Tewhid as well as the educational system too. The difficult question that interferes with the creation of a common space of internal security and appears in recent disscutions, the question of sovereignty, is actually completely insignificant.

The Islamic worldview very clearly defines the Sovereign. It is God, Malik ul Mulk, The Owner of Absolute Sovereignty. It is not a people or nation-state. By accepting and implementing this fundamental truth, any argument against the creation of a wide, unified security interior space breaks out. We need, to put it simply and directly, a common will that leads to common goals.

Instead of functionalist, constructivist or any other theory, we need Islamic practice. Of course, we also need sociometry, but it should not give us more or less data to prove the correctness of certain ideas about the way societies should go. Our sociometry should reveal areas where more investment and attention must be paid. I would say that the topic of this congress partly gave an important answer. The internal security of Muslim geography is a goal that must be achieved.

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III. SESSION: TODAY'S INTERNAL SECURITY PHENOMENON – II

MODERATOR: ASSOC. PROF. CANTÜRK CANER

PRINCIPLES AND PROCEDURES OF THE ORGANISATION FOR PUBLIC ORDER AND INTERNAL SECURITY: A CASE OF THE REPUBLIC OF SOUTH AFRICA

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Abstract

In all the current Islamic Countries that can form the International Islamic Union, criminal and political violence are widespread. Instead of authorities search for the root course of the problem of anarchies and violence and hear the concerns of their people, they arrest and detain them and sometimes eliminate them. Consequently, people always leave in fears and remain dormant because of the uncertainties. Widespread as they are, public disorder and insecurity contribute to total failure of current Islamic countries as they fail to have full control over them. The police are usually in short supply, with a legacy of abuse and corruption, while judges are few and prisons are overflowing.

On the light of the above, there is a dire need for a total public order and a reformed internal security in order to let people in ASRICA move freely about their lands without fear of undue violence. Public disorder is not conducive for the International Islamic Union for it will actually instill constant fear in the people, undercut efforts to strengthen state security institutions, and jeopardize the success of the peace process. Without public order, people will never build confidence in the public security system and will seek security from other entities that are not in the ASRICA. When that happens, ASRICA will weaken and eventually fall down.

As one of the world major countries, South Africa has advanced system in place for Public Order and Internal Security. This paper therefore explores its principles and procedures of Public Order and Internal Security in order for ASRICA to avoid its weaknesses and use its strengths that South Africa experiences. It provides solutions to both the citizens and the authorities. The paper, among others, finds out the best principles and procedures for public order and internal security suitable for ASRICA Confederation.

Keywords: Public Order, Principles and Procedures, South Africa.

In the Name of Allah the Most Gracious the Most Merciful.

All praise is due to Allah, Lord of the world. Peace and blessings be upon the last Messenger of Allah Muhammad. Ameen.

1. Introduction

Public order and internal security are necessary components for any state established. For there is no peace and tranquillity without these components. Human rights such as freedom of opinion, expression and access to information, are equally indispensable in any state. These two aspects are applied and implemented together with the help of law enforcers and judiciary. On the contrary, almost in all governments and states including all the current Islamic Countries that can form the International Islamic Union, public disorder is prevalent, people are not free to express their opinions, information is not accessible, and criminal and political violence are widespread. Instead of authorities search for the root course of the problem of anarchies and violence and hear the concerns of their people, they arrest and detain them and sometimes kill them. Consequently, people always live in fears and remain dormant because of the uncertainties.

Mostly, people use protests to be heard by their governments. When protests are many, the conclusion is that there are frequent demands from the citizens. During those protests whether violent or peaceful, there is no safety of lives and many people die.

Human rights are violated despite the availability of principles and procedures guiding public order and internal securities in various countries. Such violations are justified by governments as necessary to protect national security. That freedom of expression and freedom of information are vital to a democratic society and are essential for its progress and welfare and for the enjoyment of other human rights and fundamental freedoms, remain merely lip service that politicians use at the cost of others.

As a result of public disorder and half baked security, courts and Judges have to rule over an increasing number of cases of people charged with various speech-related offences on the ground of national security, such as incitement to violence or glorification of terrorism.

This study therefore, explores the principles and procedures as they are being applied in one of the major countries in the world – South Africa. The main objective of the study is to learn from this country in order for the citizens and the authorities of ASRICA to avoid its weaknesses and use its strengths that South Africa experiences.

In order to conduct this research, a qualitative method was used relying only upon any information available while adopting a documentary analysis approach. Considering how sensitive issues to do with security is, it was not easy to know the complete national security status of this country. The most important factor to mention, is that the least information I came cross included the Constitution.

The elements of the study are: definitions, scope of the study, establishment of South African public order and internal security, challenges of internal security and public order, conclusion and bibliography.

The paper, also recommends the best strategies for public order and internal security suitable for ASRICA Confederation.

2. Definitions

Internal security is perceived as the act of keeping peace within the borders of a sovereign state or other self-governing territories, generally by upholding the national law and defending against internal security threats (Internal security, https://en.wikipedia.org › wiki).

This type of definition is what was perceived during the Cold War when the traditionalist military state centric view had dominance. Several arguments were made then, however, that when the state has been secured all the other factors will be secured as well. By the time the Cold War era ended, that dominance was eroded and there was a movement to a more inclusive or expanded concept of national security. The concept evolved to include a more humane approach that included any factor that threatens the survival of humans. Food, safety and climate, for example, were therefore included as security factors. (HEERDEN, 2019:29).

In the South African context, National Security as a phenomenon is not well defined, as it is interpreted and applied differently by academia and civilian intelligence organization alike. Based on the two perspectives of the definition of national security: state centric and human centric views, analysis has indicated that an intelligence organisation like the State Security Agency (SSA) had difficulties in interpreting and operationalising these two types of security approaches. This is evident in the writings of other authors in defining security (HEERDEN, 2019: iii).

According to Ullman (1983:133), security is defined and validated by the threats against it, the value of which is not realised until it is threatened. He defines a threat as follows:

"… a threat to national security is an action or sequence of events that: (1) threatens drastically and over a relatively brief span of time to degrade the quality of life for the inhabitants of a state, or (2) threatens significantly to narrow the range of policy choices available to the government of a state or to private, nongovernmental entities (persons, groups, corporations) within the state."

Ullman's argument on what a threat entails focuses on the state, but also alludes to an expansion of security to include human and other types of security, other than the traditional military view.

The (State Information Bill, 2010 & General Intelligence Laws Amendment Act, 2013) of South Africa defines national security as follows:

''national security'' includes the protection of the people of the Republic and the territorial integrity of the Republic against:

    a. the threat of use of force or the use of force;
    b. the following acts:

        i. Hostile acts of foreign intervention directed at undermining the constitutional order of the Republic

        ii. terrorism or terrorist related activities;

        iii. espionage;

        iv. exposure of a state security matter with the intention of undermining the constitutional order of the Republic;

        v. exposure of economic, scientific or technological secrets vital to the Republic

        vi. sabotage; and

        vii. serious violence directed at overthrowing the constitutional order of the Republic;

    c. acts directed at undermining the capacity of the Republic to respond to the use of, or the threat of the use of, force and carrying out of the Republic's responsibilities to any foreign country and international organisations in relation to any of the matters referred to in this definition, whether directed from, or committed within, the Republic or not, but does not include lawful political activity, advocacy, protest or dissent

Commenting on this definition, (Klaaren, 2015:291), observed that the only mention of South Africa's people was in the start, where reference is made to the protection of the people of the

Republic. The rest of the definition is based on the old state-centric approach of national security.

On the other hand, there is a paradigm shift in the definition of national security. A micronarrative analysis of the Constitution of South Africa, indicates that both human and state centric security are prevalent in. It is addressed through a holistic, inclusive approach – not separate from or in conflict with human security, human rights and the fundamental freedoms enshrined in it (HEERDEN, 2019:8). This Constitutional approach as it is, shows a departure of the civilian intelligence organisations in South Africa from subscribing to a historical poor interpretation of national security that headed towards a wrong direction i.e. a concentration on state centric security. The interpretation was multifaceted that did not establish a single and specific basis. That conception in fact resulted in infringements of the mandate given to the civilian intelligence structures by the Constitution.

However, the South African civilian intelligence does not seem to be alone in their multiple interpretations of national security. In the United States of America (USA) there also seems to be a historical tendency to overstep the constitutional mandates. Examples include the Report of the Office of the Secretary of Defense Vietnam Task Force in the 1970s, later named the Pentagon Papers in the media (US National Archives, 2011).

In his research (HEERDEN, 2019:66) concluded that national security is a difficult concept to define and that it is still evolving.

Notwithstanding the above paragraphs, it deserves to note that the highest order of business for security is the protection of the nation and its people from attack and other external dangers by maintaining armed forces and guarding state secrets (What is national security?, https://www.heritage.org).

Public order on the other hand, refers to the management of a crowd in order to prevent harm to the crowd or a member of the crowd and or to those usually entrusted with upholding law and order (Charmaine and Chux, 2015). According to (De Lint, 2005: 543) public order is described as 'the use of police authority and capacity to establish a legitimate equilibrium between governmental and societal, collective and individual, rights and interests in a mass demonstration of grievance'. On many occasions however, public order policing has resulted in deaths. In South Africa, examples include Andries Tatane in 2011 and the Marikana incident that took place in 2012, and many others.

3. Scope of Study

This research was meant to cover all security apparatus of South Africa. However, the environment of secrecy in which the national security operates and the concealment of information and data for the sake of security, placed limitations on this study. Access to official documentation of the State Security Agency was limited to open source information. The study therefore was based on selective information.

4. Establishment of South African Public Order and Internal Security

As one of the world major countries, South Africa has advanced system in place for Public Order and Internal Security. In order to organize its national security, Chapter 11 Section 198 of its Constitution provides four guiding principles that govern national security in South Africa, and it reads:

a. National security must reflect the resolve of South Africans, as individuals and as a nation, to live as equals, to live in peace and harmony, to be free from fear and want and to seek a better life.

b. The resolve to live in peace and harmony precludes any South African citizen from participating in armed conflict, nationally or internationally, except as provided for in terms of the Constitution or national legislation.

c. National security must be pursued in compliance with the law, including international law.

d. National security is subject to the authority of Parliament and the national executive.

The analysis of these four guiding principles is as the following:

From the first principal above, it is understood that the term "National security" as the first part of it, underlines the security of the nation, and therefore of the state. Human security as the second part is reflected in the subsequent phrases that complement the principle. This part, *inter alia*, stresses on equality, peace, and freedom of citizens and echoes the UNDP (1994:24) report which describes the two major components of human security as "freedom for fear and freedom from want".

The Second principle is an extension of the first principle. It precludes South African citizens from participating in armed conflict, nationally or internationally, unless the Constitution or national legislation provides for it. It also prevents conflict and the destabilisation for the sake of human security.

The third principle is about compliance of National security with both the national and international laws. According to the United Nations, international law is to prevent conflict at all cost, saving and protecting lives, and therefore a human security consideration.

The fourth principle mandates the organs of state to determine what threatens the state. This is where the state is given power to control its citizens within the state-centric approach. Since such power is given to the politicians, this principle is subject of abuse and it is where the conflict between the state and citizens often emanates. Probably politicians use this principle to manipulate and abuse the police contrary to the Constitution, Chapter 11, Section 205(3) which expressly states that the objects of the police service are to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law. Though this principle, the application of realpolitik still favours the traditionalist state-centric view. Hence, the Matthews Commission (2008:52) clearly recommended a holistic approach which was not in conflict with human security.

Although these are the guiding principles for national security in this country, there are other organisations, that came up with other principles that guide internal security. On 1 October 1995, a non-governmental charitable organisation known as ARTICLE 19 of UK (Charity No. 327421), developed 25 principles on national security and adopted them. Those principles were known as Johannesburg Principles and its meeting took place in South Africa (Article 19: 1996). Later on, global principles on National Security known as (Tshwane Principles) of which South Africa was part and parcel, were finalized in Tshwane, South Africa and issued on 12 June 2013. This time the principles were 50 altogether and were drafted by 22 organizations and academic centres in consultation with more than 500 experts from more than 70 countries at 14 meetings held around the world (Global Principles on National Security: 2013).

A closer look of comparison between the two organisations, provides for a conclusion that their principles are not different from one another. The South African principles as enshrined in its Constitution also do not really depart from the direction that these organisations have followed either. It is only the elaboration and explanation that is prevalent in all these scenarios and the principle that is central in all of them is about Freedom of Opinion, Expression and Information. It is envisaged that the national security and these freedoms are conflicting and that the freedoms, at one point, must give way to the national security.

In referring back to ARTICLE 19 above for instance, at least all principles play explanatory role except principles: 18 – 22, and 24. Although these principles relate to either opinion, expression or information as expressly stated in principle 1, they have additional substance

involved such as access to restricted areas, rule of law protections, remedies, trial, and punishments.

Actually, Principle 1 of the ARTICLE is about Freedom of Opinion, Expression and Information. This Principle implies that people are free to make opinions, have expression and access information without interference.

However, the exercise of these rights may be subject to restrictions on specific grounds, as established in international law, for the protection of national security. While restriction on these rights may be allowed, the government may impose it by demonstrating that the restriction is prescribed by law and is necessary in a democratic society to protect a legitimate national security interest.

The National Security Interest capable of restricting the freedoms is legitimate when its genuine purpose and demonstrable effect is to protect a country's existence or its territorial integrity against the use or threat of force, or its capacity to respond to the use or threat of force, whether from an external source, such as a military threat, or an internal source, such as incitement to violent overthrow of the government.

On the other hand, the National Security Interest is not legitimate if its genuine purpose or demonstrable effect is to protect interests that are not related to national security, including, for example, to protect a government from embarrassment or exposure of wrongdoing, or to conceal information about the functioning of its public institutions, or to entrench a particular ideology, or to suppress industrial unrest.

The other principles in a nutshell in accordance with ARTICLE 19, are:

Principle 2: Legitimate National Security Interest

Principle 3: States of Emergency

Principle 4: Prohibition of Discrimination

Principle 6: Expression That May Threaten National Security

Principle 7: Protected Expression

Principle 8: Mere Publicity of Activities That May Threaten National Security

Principle 9: Use of a Minority or Other Language

Principle 10: Unlawful Interference with Expression by Third Parties

Principle 11: General Rule on Access to Information

Principle 12: Narrow Designation of Security Exemption

Principle 13: Public Interest in Disclosure

Principle 14: Right to Independent Review of Denial of Information

Principle 15: General Rule on Disclosure of Secret Information

Principle 16: Information Obtained Through Public Service

Principle 17: Information in the Public Domain

Principle 18: Protection of Journalists' Sources

Principle 19: Access to Restricted Areas

Principle 20: General Rule of Law Protections

Principle 21: Remedies

Principle 22: Right to Trial by an Independent Tribunal

Principle 23: Prior Censorship

Principle 24: Disproportionate Punishments

Principle 25: Relation of These Principles to Other Standards

5. Challenges of Internal Security and Public Order

Politics is the major challenge when it comes to maintaining internal security and public order. Realpolitik, theory and everyday use by politician leaders of political statements such as "threats to the state" or "it is a national security issue" are a source of political upheaval when the public demand their right to expression or information. Politicians always hide behind political statements for their own personal benefits and political mileage. They achieve their political goals as much as they want by suppressing others in the name of "government" that they control.

Nevertheless, it should be known that government's over-invocation of national security concerns with regard to withholding information do seriously undermine the main institutional safeguards against: government abuse, independence of the courts, the rule of law, legislative oversight, media freedom, and open government.

On the other hand, statements that politicians use, carry with them an implication of a state-centric approach which degrade the maximum requirement for human security. There are

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various examples of politicians who have used this style to protect themselves, their political affiliations or interest (HEERDEN, 2019:29).

National security and the right of public to information pose another challenge. There is a persistent conflict between the two. For instance, government at times. becomes under pressure to keep information secret on national security grounds while a certain law confers the public the right to information. There are thus, in this regard two contradicting aspects that are equally important: state's right to withholding information and the right of the public to access information kept under the government.

Although from the historical point of view, legitimate national security interests are best protected when the public is well informed about the state's activities, government's position on withholding information from the public for security purposes remains firm.

Public's right of access to information is never dominant. Where that right is prevalent, it is only rather in law, than it is in practice.

Still, another challenge in maintaining security and public order, is observed in the subjective interpretation of the terms. There is ambiguous interpretation of national security by civilian intelligence organisations which results in misinterpretation of the conferred mandates by the Constitution. According to (HEERDEN, 2019:9), such misinterpretation has serious repercussions for the role and functions of civilian intelligence.

Courts deliberate loss of their authority and become dependent on government support is again a serious challenge. Such dependence always lead the courts to defer to the claims of government when national security is invoked. Courts are law-based institutions and in deference to the government's wishes, they neglect their duty of preventing any prospective national security risk.

6. Recommendations

On the basis of organisation for principles and procedures of national security and public order of South Africa, the following are recommendable for the betterment of ASRICA.

    a. Having Parliament and Executive as the domain for national security requires strong Parliament politically and an Executive with political will. Such requirement allows the Parliament to oversee and prevent the Executive from abusing its power by using the national security to protect its political power. If, however, the Parliament's oversight is a mere "rubber stamp", the consequences could be devastating. Intelligence structures

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would be politicised and the operational guidelines on what is constitutional, could be negated (HEERDEN, 2019:9).

b. There is a need to sensitise citizens in ASRICA on the limits of freedoms of opinion, expression and information in the context of national security and public order. For informational restrictions to be acceptable by all, legitimate national security interests to be adequately protected, and human rights to be fully exercised, the public should take responsibility through drastic campaign. Only then will people move about freely in their lands without fear of undue violence and disrespect from the authorities.

c. For public order and internal security to be maintained, the authorities will have to render more support to law enforcers who are usually in short supply worldwide. Alongside the police, more judges should be trained. It these measures are properly followed, prisons will not overflow any more in ASRICA.

7. Conclusion

Principles that guide public order and internal security and their procedures in South Africa as provided for in its Constitution, are four. They are altogether holistic covering both state and human centric approaches.

Maintaining of public order and national security are related with freedom of expression and information in the sense that they are all significant for a workable democracy. Public scrutiny of state action should be enabled for access to information in order to provide for safeguard against abuse by public officials and permit the public to play a role in determining the policies of the state for the sake of genuine national security, democratic participation, and sound policy formulation.

However, the abovementioned relationship of the two sometimes sours when the freedoms are suspended and restricted in order to maintain the security needed in a particular period of time. International human rights law recognizes that sometimes it is necessary to limit individual rights to protect national security or respond to situations of public emergency.

This research, on the light on the above, has concluded that for public order to be established and internal security maintained, withholding of information from the public by government on national security grounds, among others, should be prescribed by law and that it is necessary to do so in order to protect a legitimate national security interest. Such withholding should be done with approval of the public while avoiding any other undemocratic activities. There should also

be independent oversight authority, which is the Parliament in the case of South Africa, political will of the Executive and well-trained Judiciary.

In a nutshell, public disorder is not conducive for the International Islamic Union for it will actually instil constant fear in the people, undercut efforts to strengthen state security institutions, and jeopardize the success of the peace process. Without public order, people will never build confidence in the public security system and will seek security from other entities that are not in the ASRICA. When that happens, ASRICA will weaken and eventually fall down.

ASRICA can borrow a leaf from the South African system in maintaining public order and internal security.

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ILLEGAL IMMIGRATION AND SECURITY THREATS IN ALGERIA THIRD AXIS: PUBLIC SAFETY AND INTERNAL SECURITY SYSTEM (LOCAL GOVERNMENT AND SECURTIY IN CITIES, RURAL AREAS, COASTAL AND BORDER REGIONS)

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Abstract

Illegal immigration as a security threat has coincided with the development and expansion of the concept of security after it was limited to the state as the main and only actor in the international arena, to include issues far from it, such as individuals, humanity and society, and focus on them as a central unit of analysis in security studies in order to achieve community stability. Illegal immigration is one of the security threats which affect this stability as a result of individuals fleeing from the poor economic situation in their countries in a secret and illegal manner, which constitutes an economic burden, a security and social concern. This phenomenon comes out of its social framework and becomes an issue of a security nature that threatens social construction due to its consequences. Various crimes have exhausted states and obliged them to strengthen efforts by setting strict policies to combat and limit them in all legitimate ways, by enacting deterrent laws and intensifying border security, and other measures that limit this phenomenon and contribute to controlling it.

Keywords: Immigration, Illegal Immigration, Security, Security Threats, the Maghreb, Algeria.

1. Foreword

A report sent to the European Commission in Brussels by a European business and industry association states: "If we deport immigrants, what is the alternative, because every foreign community is first and foremost a cog in the wheel of the economy." This statement is one of the worst consequences of this phenomenon in which, besides all its security, social, political and economic threats, it gives rise to a human rights threat that affects the immigrant as a tool of exploitation at the hands of the receiving countries; Illegal immigration is a global phenomenon that exists in both developed and developing countries and represents one of the most important current issues that attract the attention of States due to its connection with the individual, society and the state. The individual deliberately flees from his society to one in which he enjoys higher social, economic, and even security advantages, revolts against his state, and rejects his original society; this is linked to the problem of development, marginalization and waste that the citizen experiences in his country, especially African countries, which are characterized by a low growth rate compared to the receiving European countries. This inequality is a security problem that creates a repulsive environment for escape, has negative and serious repercussions that go beyond the social aspect, on the one hand, poses a security threat to the stability of States; on the other hand, it is the result of fragile economies and political and social instability that has turned into a security problem that poses a security threat to individuals and communities as a result of the association of undercover migrants with organized crime networks and their involvement in many crimes such as drugs, counterfeiting and others. The concept of security is changing as a result of the change in threat sources; therefore, the external military threat is no longer the only source of destabilization as it used to be, there are many forms that disturb societies and illegal immigration is one of the most important of these threats affecting many countries; among these countries is Algeria. Its location dominating the Mediterranean on the one hand, and on the other hand it extends deep into Africa, has an important strategic position due to its wealth and length of coastline, making it an excellent country of immigration; It is a source of immigration for young Algerians fleeing to Europe; It is a transit country for irregular migrants due to its connection to the Mediterranean and a receiving country due to its wealth and relative security stability compared to neighboring countries over the past decade.

Therefore, our study raised the issue of illegal immigration and security threats in Algeria.

2. First: Sociologically Illegal Immigration

2.1. Concept of Illegal Immigration

Immigration in Our Language: In the language of the Arabs, migration is the opposite of arrival, and migration is going from one land to another by land; For the Arabs, the origin of the migration is the Bedouin's journey from the desert to the cities, but its meaning extends to the place of departure or destination, spiritual or natural, so it is said, "If you left something and neglected it, you migrated."

Allah Almighty states: "Whoever emigrated in the way of Allah will find many good places to live in the world and material and spiritual abundance."

Immigration terminology: It is the departure of a person from the territory of his own state or state of residence to the territory of another state with the intention of permanent residence.[1]

The Demographic Dictionary published by the United Nations Department of Economic and Social Affairs states:

"Relocation of residents from one land called place of origin or place of departure to another country called place of destination or place of destination, followed by a change in place of residence."[2]

It is defined in political encyclopedias as "a group of people who leave their original place of residence in order to move to another place to live, with the intention of staying in a new place in search of a better social, economic, religious or political situation, etc." Therefore, it is a word associated with spatial and geographical transmission.[3]

Irregular immigration is any movement of an individual or a cross-border group beyond the limits permitted by law, which emerged at the beginning of the twentieth century and culminated after the adoption of border closure policies in Europe in the seventies of the last century; The term is synonymous with many names, including "illegal immigration" and

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[1] Muhammed Garbi et al: Illegal Immigration in the Mediterranean Region, Ibn Nedim Publishing and Distribution, Algeria, 1st Edition, 2014, p. 20
[2] Rima Marzouk, "Impact of COVID-19 on illegal migration from Maghreb to Europe", Heritage Magazine, M11, v1, March 2021, p. 271-291.
[3] Saus Khaira Abdel Rahman, "Illegal immigration crime between prevention and treatment in Algerian law", Journal of Economic, Administrative and Legal Sciences, Volume 2, Issue 10, August 2018, p. 100-112.

"hidden immigration" and the term "burning", which means burning all ties that bind the individual to their roots and identity.[4]

Irregular migration is one of the global migration flows that exists in many countries and necessarily means the movement of individuals and groups from one country to another without supporting evidence (travel documents, official transit visas, transfer permits...); It is a transfer that violates the laws and regulations governing exit and entry procedures from countries of origin to countries of destination.

Movement takes place in many ways, such as on cruise ships and merchant ships, hiding in buses and cars for tourists, or immigrants randomly piling men, women, and even children into death boats, tiny rubber boats unsuitable for travel; Places are reserved in complete secrecy through migrant smuggling networks, in exchange for large sums of money varying according to travel guarantees.

Immigration From a Social Point of View: In sociology, the phenomenon of migration is defined as "changing the social situation, such as changing the profession or social class and others, and then this definition; Focusing on the social change affecting the individual or class, it has given a social dimension to migration, so that the individual can move from one poor class to another, to a richer class, or when the social role of the middle class decreases or its role is lost; Therefore, on this definition, it is stated that he makes the concept of class a central concept and it is also the transition from one class to another in society or the transition of an individual from one class to another.

As for the definition of irregular migration in the Protocol of the United Nations, which completed the United Nations Convention against Organized Non-National Crime; defines it as the illegal entry of a person or group of people into a state of which he is not a citizen or resident, by crossing the border, regardless of the conditions necessary for the legal entry of that state.[5]

Therefore, it is necessary to distinguish between three types of states:

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[4] Saus Khaira Abdel Rahman, "Illegal immigration crime between prevention and treatment in Algerian law", p. 100-112.

[5] Murad Bin kita, "The Growth of Illegal Immigration and Its Impact on Development in the North African Region", Metabooks Al-Moutat, p. 117.

- **Export and Origin Countries:** These are countries known for a certain political, economic and social reality that pushes most of their citizens to irregular migration, for example: Africa and third world countries.

- **Transition Countries:** It is the station required to reach the receiving countries, and this station can form a back base from which further preparations are mobilized to reach the receiving country, for example: Algeria and the Maghreb countries.

- **Target Countries:** These are the countries that create a destination and stabilization station for the irregular migrant and, he believes, provide opportunities not found in their homeland, for example: France, Italy, Spain or developed countries.

As for the countries of the North African region, especially the Maghreb countries, besides being immigration exit countries for their citizens, they are transit stations countries in terms of African depth; this further complicates the border control process as there are double entries and exits.[6]

The term irregular immigration is synonymous with many names, including "illegal immigration", "hidden immigration" and the term "burning", which by connotation means the burning of all ties that bind the individual to their roots and identity.[7]

The term "burning" has become a concept in Algerian folk dialect denoting irregular migration, as immigrants who survived drowning and arrived safely on European shores for their identity set out to obtain a new identity.

2.2.Types of Irregular Migration

There are two types of irregular migration: Hidden migration inside any country and secondly, migration outside of any country.

A. Hidden migration inside any country: This type is called immigrants who come to the receiving countries for permanent residence in order to take it as a transit center and go to the other destination; In this context, we can cite the example of the Africans who crawled towards Algeria and settled primarily in the city of Tamanrasset and to a lesser extent in the capital city of Algiers and Mughniye; There are those who consider Algeria a gateway to Europe or the

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[6] Murad bin kita, "The growing phenomenon of irregular migration and its impact on development in the North African region", Metabooks al-Moutat, p. 118.
[7] Saus Khaira Abdel Rahman, "Illegal immigration crime between prevention and treatment in Algerian law", p. 100-

Maghreb and thence to Europe, and what stands out to them is that their travel documents, visas and entry-exit stamps are often forged.

B. migration outside of any country: This type of irregular migration is referred to as the total number of concealed migrants leaving their country to go to other countries with wider living opportunities; Algeria is included in this group to indicate that those whose destination is Europe do not settle there permanently, as African, Arab and Muslim nationals are those who have moved to another, more prosperous place, such as the United Kingdom, Canada, and the United States.[8]

In general, with regard to irregular migration, there are exporting countries represented in African and third world countries, and in general there are transit countries such as Algeria and the Maghreb, as well as other destination countries such as France, Italy, Spain or developed countries.

2.3. Factors of Illegal Immigration

The factors of irregular migration are numerous, among economic, social and political, and these factors determine the attractive environments of immigrants and the environments that depress them; the first provides decent lifestyles and job opportunities, while the latter represents an environment of poverty, suffering and deprivation of decent means of living; this drives its members away from it and pushes them to migrate to seek the humane level, to live only with human dignity, not the highest level in life; we will talk about the most important reasons that lead to migration.

2.4. Economic Factors

Since the middle of the last century, Africa has witnessed many models of social and economic development, either capitalist or socialist, or African nationalism influenced by one or more of the two previous models; however, they have not been successful and effective in ensuring the desired development and decent living of the African citizen in the African context; as a result, the social gap between the different strata of African society widened, as did the social and economic differences between the poor and the rich, rural and urban populations.[9]

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[8] Muhammed Garbi et al: Irregular migration in the Mediterranean region, previous reference, p. 23-24.
[9] Ali el-havat Irregular migration to Europe via the Maghreb countries, Maghreb League Publications, Libya, 1, 2007, p. 41-42.

Indeed, these development models have yielded less than the levels of development achieved in other developing countries in Asia and Latin America; All of this has created a compelling environment for African people to leave their homeland and migrate to another place where they can find employment, legally or irregularly, and lead a decent life.

In the context of low African economic reality, unemployment represents one of the main problems facing Africans today, and this problem has become a global problem, not just in Africa, and contributes greatly to the increase in global migration rates; however, it is largely represented in Africa, on the African continent, and acquires a deeper and more influential dimension; in addition to efforts to combat it, it is still ineffective and slow and, as is known, unemployment is when a person is looking for a job and cannot find it; unemployment is usually involuntary and not chosen by the person voluntarily and is the direct cause of many social problems and social unrest in society; chief among these are poverty, low standard of living, and social and political instability.[10]

When unemployment reaches high levels in society, it harms the economy and social structure, each affecting the other, and is a fundamental cause of social instability in society; Unemployment has multiple social repercussions that are interrelated and affect each other; For example, one of the most important repercussions is the disintegration of families of members of the unemployed forces as a result of their inability to meet the humanitarian needs of the family; as a result, it disintegrates and destroys the social welfare of the family, which leads family members astray and joins gangs of organized crime and theft; however, it leads to social ills such as child labor and begging.

2.5.Political Factors

It is reflected in the political stability of the countries where civil wars or power struggles take place, and accordingly, the instability of security in those countries emerges clearly, which affects the labor market, agriculture, industry and trade index.

From here begins the process of migration considerations to look for a job in a stable and safe place and regardless of what the job is and how much the income is and how the migration takes place.

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[10] Ali el-havat Irregular migration to Europe via the Maghreb, previous reference, 43-44 p.

The African continent is one of the conditions in which these characteristics are valid, and in recent times Africa has witnessed numerous civil and ethnic wars as well as political conflicts; all this data creates an insecure and unstable political environment; as a result, it drives people to migrate and flee to safe places and communities, and also causes the death of hundreds of thousands of people in this situation. Many migration experts argue that unless security is ensured and political life in Africa grows, waves of migration, asylum and displacement will not stop, no matter how many different measures are taken to curb this in fact compelling and no other option for human beings.[11]

2.6. Social Factors

Regular and irregular migration has many stimulating social aspects, the most important of which are:

- Images of social success of the immigrant when he returns to his country for vacation show manifestations of wealth such as cars, gifts, etc.; all this feeds the media and allows the individual to live in a magical world where the desire to migrate is developed.
- Geographical proximity of coasts and beaches visible to the bare eye in some areas due to the proximity of Northwest African countries to the southern European coasts.
- There are other incentives originating in the receiving countries that need to be considered, represented by high-income mafia gangs that handle irregular migration.
- Some countries, such as Spain, have given illegal immigrants residence and work permits to an estimated 700,000 immigrants, as it will generate large incomes for the Spanish treasury, allowing them to work for taxes instead of tax-free work on the black market; This amnesty law from the Spanish government has caught the attention of many emigration thinkers hoping to take advantage of such laws.[12]

2.7. Social Theory Explaining Illegal Immigration

It is necessary to present all the angles and trends dealing with the phenomenon of migration according to his vision; the economic approach to migration focuses on economic work as the direct basis of migration; the realistic approach describes the cross-border flow of immigrants as a reflection of the state's will through the state's pursuit of interests.

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[11] Ali el-havat illegal migration to Europe via the Maghreb countries, 46, 47, p.
[12] The same reference, 48p.

As for the geographical explanation of the phenomenon of migration, the geographical nature of the region.

As for the socio-cultural perspective of the phenomenon of migration, in its interpretation, it refers to the investigation of the social and cultural structure that helps to produce the phenomenon.

On the other hand, we see that the explanatory approach to migration from the perspective of globalization focuses on the mechanisms and structural changes produced by globalization, especially in terms of the development of communication tools between peoples and nations.

2.8.Economic Approach

Proponents of the economic interpretation see economic factors as the main explanation for the phenomenon of migration; While the economic dimension requires looking at economic factors as well, such as unemployment, inflation, lack of employment opportunities and attractive economic factors in the receiving society, most economic explanations of migration focus only on economic factors in the sending society; Holders of the economic interpretation proceed from a number of key points, the most important of which are:[13]

- The occurrence of migration is linked to push factors and pull factors; In push situations, the difficult economic situation in the immigrant's country of origin causes him to leave his country, while at the same time the attractive economic situation in the receiving community pulls the immigrant.
- The behavior of the immigrant is always in line with the maximization of the benefit model, which assumes that the immigrant aims to maximize economic benefit by migrating.[14]
- We also see that many Marxist challengers start from the idea that the economic factor in immigration policy in general is the main assumption that it is to increase and maximize profits and gains through cheaper labor; While interpreting the phenomenon of migration, the Marxist perspective argues that migrant labor is part of the structure of capitalism and that migrant labor is only in the service of the ruling capitalist class

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[13] Adnan Farhan Al-Jawarin, "Migration and Labor Policies and Their Effects on Citizens' Unemployment in Gulf Cooperation Council Countries", Journal of Gulf Economy, University of Basra, Vol 24, 2013, 04.p.

[14]Abdullah Abdul Gani Ganem: Immigrant Socioanthropological Study, Office of Modern University, Alexandria, Vol 2, 2002, 25-26.p.

and that capitalists constantly encourage international migration in order to maintain the flow of cheap migrant labor that leads to capital accumulation at lower costs.[15]

- Also, from a Marxist perspective, immigration creates divisions within the working class in capitalist countries, which in turn enables the propertied class to benefit from these divisions; this was confirmed by both Marx and Engels as they saw divisions between the British and the Irish in favor of the capitalist class.

We see that global capitalism encourages migration because the migrant workforce offers solutions to the crises that befell the capitalist system through the means of easily controlling displaced labor and excluding it in recessionary stages; in addition, the migrant workforce is less targeted than the local workforce; thus, it reduces the probability of inflation, especially in the phase of capitalist expansion, because the migrating hand ends when the job assigned to it is finished.[16]

2.9.Realistic Approach

The realist approach, which has two parts, neo-realism and classical realism, is one of the most important perspectives in international relations studies. They think that international relations are nothing but the struggle for power and influence between states, and this is what we see, according to Kamppi and Viotti 1987, that realism focuses on four basic perceptions:

- It sees the state as the main and important player as well as the basic unit in the analysis.
- The state is seen as a unit facing the outside world and as a single player and is an integrated unit.
- The state is a rational player trying to maximize utility and interest.
- National security is a fundamental and vital element of the foreign policy agenda, realism focuses on issues of conflict between nations and considers economic, social and cultural aspects less important to interests and military power; This viewpoint, including the military side, influenced immigration policies of conflict between nations and countries and contributed to immigration restrictions as the United States did passport and visa work throughout the World War I.

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[15] Eytan meyers, « theories of international immigration policy_acomparative analysis », international migration review,vd34, no4, winter 2000 , p12-47.
[16] Eytan meyers, «international imigration policy a theoritical and comparative analysis », palgrave, macmillan first edition april, 2004, USA, p6.

2.10.   Geographical Explanation of the Immigration

The geographical description is based on two statements: The first concerns the explanation of the reason for expulsion, and the second concerns the identification of the receiving community; on the first point, the geographical description is based on a demographic statement, and this interpretation assumes a balance between the characteristics of the area and the characteristics of its inhabitants; and here we see that geographers believe that the geophysical conditions of each region allow a certain number of inhabitants to be retained, and that any number exceeding the allowable number becomes an excess number that distorts the requirements of the geographical conditions of the region, and therefore the only way out for this number is migration. [17]

The second point at which geographic theory offers an explanation is the choice of the admissions community for the immigrant; and geographical theory, it is thought that the immigrant chooses the recipient community, or rather the area from which he migrated, in the light of his geographical characteristics, and geographers think that the immigrant's reception area is chosen in the light of the similarity of its geographical conditions (land, climate, vegetation, etc.) with the conditions of the expulsion area.

There is the distance factor, a factor that geographers consider when determining the area of attraction to which the immigrant migrates; According to this factor, although directly related to the job opportunities available, the number of immigrants arriving in a country is inversely proportional to the length of the distance separating that country from the country of origin.[18]

2.11.   Social Explanation of the Immigration

The social explanation of migration differs from previous explanations in that it is not a definitive interpretation, on the one hand, it does not focus on a single factor while explaining migration, and on the other hand, it looks at migration and immigrants as a whole, not just factors; sees immigrants as a link between the sending community and the host community.

It considers that the current conditions in both societies have an impact on immigration and immigrants, and the decision, direction, duration etc. of immigration; depends mainly on reality, through research tools in sociology and anthropology represented by interviews, surveys and observations, etc. a sociologist points to this when he tries to explain why people who immigrate

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[17] Abdullah Abdul Gani Ganem: Immigrants: socio-anthropological study, last reference, p. 29.
[18] Abdullah Abdul Gani Ganem: Immigrants: socio-anthropological study, last reference, p. 30

migrate and why people who don't immigrate do not; here, he says, in addition to the traditional way of asking immigrants who have actually migrated, why they migrate, it depends on the question of why potential immigrants will migrate in the future and soon. In this way, it tries to reach the factors that affect the decision to migrate by comparing the motives of migration between those who seek migration in the future and those who have actually done it; In general, the social explanation presents the social factors for migration, and we can mention several social theories that explain the phenomenon of irregular immigration.[19]

- **Cultural Theory:** It is based on the fact that the particular culture of the community is largely responsible for the overall trend of migration within the community, although the natural details, speed or slowness of the migration source may be influenced by necessary or apparent economic factors on the surface; The basic migration pattern is part of the form of society and its system in general; what is permanent and constant is that the movement and migration of people within or outside the boundaries of society occurs due to the mixing of cultural and economic reasons, and the same factors that affect the size of the population in the region are almost the same as the migration engines, some distinguish it from the physical characteristics of the region, the influence of the economic and cultural system.

- **Social Organization Theory:** Mongalam presents his theory of the social organization of migration, and based on the changes that occur in each of the three systems of each society, meaning cultural, social and personality systems; that the society has to go through a stage of social change, which is indicated by the difference in its status and social system in two different periods, and that in this process, migration can be considered as the process of keeping the dynamic balance of the social system at minimum change, and at the same time; allows its members to escape their deprivation, and immigration affects and is influenced by the social order and cultural values of both pulling and pushing areas, and the goals and criteria of immigrants change in the process; The migration format includes three elements: The area of origin (pushing), the community of pulling (attraction), and later the migrants themselves and these elements overlap in a dynamic process.

- **Social Center Characteristics Theory:** This shows that, according to Thomas 1939, the behavior taken by the immigrant, namely the propensity to migrate, is clearly

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[19] Abdullah Abdul Gani Ganem: Immigrants: socio-anthropological study, last reference, p. 30

different on the basis of class status; While Thomas found that age was the most influential feature of social status in determining propensity to migrate in most migration studies, studies following Thomas's work showed that educational status and occupational status were the most characteristic features of social status in migrant-motivated behaviors. Thus, some have begun to explain the extent, direction and motives of migration in the light of the characteristics of the social center.[20]

- **Functional Constructive Theory:** Functional structuralism focuses on the function of the social system in its interpretation of irregular migration because it considers all parts or elements of the social system to play positive roles in maintaining the system and its balance.[21]

Functional irregular migration is a behavior that violates accepted norms and behavior patterns in society, as well as a clear violation of social control rules that lead to the rupture and leakage of various social relations and structures; due to the cracking of the social structure or social system, the standards and values supported by the community leak out from the community members and some social problems escalate, especially when the group is unable to perform its functions or the roles are not in a state of coherence and homogeneity with the developments of social organization; Even if it is done illegally, the individual has to look for an environment and environment to prove themselves and settle down.

Therefore, according to this perception, considering the change in the family pattern and the decline of solidarity in societies, the manifestations of the transformation and as a result, the deterioration of traditional structures and the spread of individualism, are a social breakthrough; It is the product of accelerated sociological changes at the level of social structure and functions, especially affecting young people.

3. **Second: Illegal Immigration and Security Aspect:**
3.1. **Concepts (Security, Securitization, Community Security, Human Security, National Security):**

Security: In terms of terminology, there are many definitions and concepts that deal with security according to the multiplicity of thinkers and those who deal with it, and their different

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[20]Ayad Muhammed Samir: Memorandum to obtain a doctorate in European Union's policies towards the Maghreb countries, political science, political and administrative organizations, Faculty of Political Science and Media, University of Algeria, 2006, 54.p.
[21]Mohamed üde: Fundamentals of Sociology, Dar Al-Nahda Al-Arabiya for Printing and Publishing, Beirut, 91-92.p.

approaches and perceptions in terms of multiple perspectives and analysis; therefore, its concept may expand or contract according to the international environment to be studied.

Among the most important security definitions that take into account the global security environment, and among the most widely circulated in the private security literature presented on this subject, we find the definition of Barry Buzan, who is considered one of the foremost experts in security studies, and he defined security as follows: Working to get rid of the threat.

We find another definition, no less important than that of Barry Bozan, offered by Arnold Wolfers: "Security is a means of measuring the absence of threats to objectively acquired values, the absence of fear of attacking these values, and national security is multidimensional; It means not only military security, but also economic, political, diplomatic and social aspects."[22]

In the light of economic development and ways to achieve it, there are those who know him (former US Secretary of Defense Robert McNamer), saying: "The state can only ensure its security if it guarantees a minimum level of development".

National Security: Algeria's dominant sector is concerned with security from the perspective that "it means the full protection of the institutions and values of society" in light of the emergence of new threats to transnational phenomena.[23]

The modern concept of security has assumed a strategic character; its meaning is to contain existing and potential internal threats in a way that promotes freedom from fear, peace and will ensure comprehensive economic, social and human development, guarantee the unity of the state, the fundamental values of the decision maker, and ensure the unity of interests, happiness, prosperity and stability to the people; and expanded to include all the measures taken by the state against external challenges and political, economic and military infiltration.[24]

Securitization: The concept of securitization first appeared in the Copenhagen School and means turning any issue into a security issue; The starting point in the concept of securitization is the theory of discursive action; that is, how actions can be done with words, securitization

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[22]Riyad Ben Arabiya, "The reality of illegal immigration in Algeria and its reflections on national security", Journal of Rights and Freedoms, vol 10, p. 1, 2022, p. 64.

[23]Algeria ensures security from the perspective "means the full protection of the institutions and core values of society".

Noureddine Fellak, "The Role of Algerian Security Doctrine in Confronting New Security Challenges", Professor Al-Research Journal of Legal and Political Studies, University of M'sila, 2019 AD 4, p. 2, p. 1083-1100.

[24]Tamer Kamel Al-hazraji: International Political Relations and Crisis Management Strategy, Majdalawi Publishing and Distribution House, Amman, 1, 2005, 324.p.

works through discourse analysis to present something as an existential threat so that the public accepts it and allows exceptional measures to be used to combat the threat.

Therefore, securitization of irregular migration means that it transforms from a humanitarian issue as people flee from difficult economic, political and security conditions to a security issue that threatens the civil existence and economic, social and political stability of European countries and requires extraordinary deterrent and punitive measures to meet this challenge. In this context, the concept of securitization may intersect with another concept, the criminalization of illegal immigration.[25]

Community Security: In response to the school's emerging research agendas, voices have increased calling for the need to transcend the physical composition of threats and to consider other forms of non-state security actors as subjects of reference, with the traditional and arbitrary separation between the concept of security and security and state; In this context, critics believe that the individual is the subject of reference and the main goal of security and that the state is only a means to achieve this goal due to the current decline in the ability of the state to face the challenges posed by accelerated globalization pathways in addition to migration flows from poor to developed or rich countries; According to this school, these flows, leading to the creation of new social tensions and an unstable production model, lead to increased shocks within states and societies; Thus, the state becomes, in the eyes of critics, a means of protecting the security of individuals and state institutions in prosperous areas from the influx of poor areas.[26]

According to "Barry Buzan" the state is not the only subject who understands security behaviors at any regional and international level, but despite this, he rejects any change that could transfer the level of security from state to individual or to the level of the global system, ole Weaver expressed; According to Buzan, social security is linked to the security of immigrants, cultural security, identity, nations, cultures and ideology, and defines it as "continuity of traditional language, culture, religious and national patterns of identity and tradition within acceptable conditions of development"; Society is the threatened party, and 'identity' has become, as Barry

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[25] Mursi Meşri, "Securitization of Illegal Immigration, Motives and Repercussions in European Politics," Arab Politics Journal, p. 15, July 2015, 63-64.p.
[26] Munira Belaid, "New security dynamics in the Mediterranean region: Algeria's security role as an actor in the region", "Security in Algeria and the Mediterranean" Intervention of the International Forum, Constantine, 2008, 101.p.

Buzan says, 'value under threat', 'groups', and so social security is how communities perceive the threat in terms of identity and the relationship between themselves and their interests.

Human Security: Human security as a concept has crystallized since the mid-twentieth century in the background of the 1994 publication of the United Nations Development Program's (PNUD) Human Development Report, and this concept is based particularly on: "To protect human and human dignity, to meet their material and spiritual needs; Human security is ensured by a set of values and standards such as sustainable economic development, good governance, social equality, rule of law, absence of various forms of threat and fear; The concept of human security is based on the idea that meeting the basic needs of individuals is one of the basic conditions for societies and national security cannot be ensured without this; because it means freedom from human suffering resulting from man-made natural disasters at the local, regional and global level.[27]

3.2. Diagnosing the Reality of Illegal Immigration in Algeria

Algeria has seen the phenomenon of illegal immigration, especially from the south, which poses a clear threat to its security and stability in all areas. In addition, Algeria remains a destination for African immigrants to settle or cross the Mediterranean to Europe, and with the help of its border factor and since Algeria shares thousands of kilometers on its borders with several African countries that are sources of illegal immigration, historical and geographical factors, the most important of which, have contributed to the escalation of this phenomenon. As a result of the family ties and strong relations that exist between these tribes, where these illegal immigrants benefit from the historical relations that connect the border tribes, especially the roads, with their counterparts in Mali, Niger and Libya; Due to the nature of their nomadic lives and livelihoods, the constantly occurring movements, as well as the fact that these borders are quite wide, make it difficult for them to be observed and protected by border guards.[28]

Moreover, due to the emergence of smuggling networks of African immigrants in recent years, the phenomenon of illegal immigration has intensified and Algeria has witnessed an unprecedented and large flow of illegal immigrants; the spread of this phenomenon has been exacerbated by the economic, political, social and security conditions that most sub-Saharan

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[27] Riad Ben Arabiya, "The reality of illegal immigration in Algeria and its reflections on national security", previous reference, 65.p.
[28] Muhammed Al-Vijdan, "Illegal immigration to Algeria: causes, consequences and the fight against it" Annals of the University of Algiers 1, Volume 2, page 29, page 63.

African countries have experienced as a result of wars and conflicts, as well as the harsh climatic conditions of drought, desertification and other causes such as poverty and unemployment.

This phenomenon has been an increasing development for Algeria as the place where clandestine immigration to France began due to the linguistic and even economic dependency left by French colonialism; the first beginnings were in 1912 and then in 1924, due to the conscription law imposed by the colonizer on Algerian youth at the time, about 4,000 people immigrated to France to work.[29]

In independent Algeria, the first appearance of illegal immigration was the admission in 1963 of many Malian and Nigerian refugees who fled their country for fear of ethnic cleansing, and in 1995; it was the introduction of the "Schengen" agreement, which allowed the visa holder of any of the signatories of the European Union to pass through the Soviet Union and disperse; European countries, including France, are encouraging people from Europe who can speak the language, including Algerians and this was helped by many factors, including the fall in oil prices, high debt volume and the devaluation of the national currency.

Undoubtedly, there are some social reasons and factors for the development of the phenomenon of illegal immigration in Algeria and the profound transformations that Algeria witnessed as a result of the crisis of the late 80s, especially with the spread of unemployment and housing crisis, a growing sense of alienation, deterioration of purchasing power and low incomes.

In addition to economic reasons, Algeria's deteriorating economic situation led to thousands of workers being laid off and seeking assistance from the International Monetary Fund in 1990, which conditioned the transition to the capitalist system, which resulted in the state removing subsidies for widely consumed products and goods; as a result, the national currency fell and the dinar depreciated. This inflation, in addition to the liberalization of foreign trade and the inability to protect national products, caused an increase in goods and a decrease in living standards, which led to the bankruptcy of many economic institutions. Geographical factors play a crucial role in promoting such phenomena; As we mentioned before, Algeria has become a transit point for African-Moroccan foreigners, Asians and Arabs due to its geographical location; these waves found room for their movement and transit in the major southern states, particularly in the province of Ilizi, Tamanersat, Adrar, and in some western areas where they

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[29] Fares Ben Sagir, "The Reality of Illegal Immigration in Algeria: Causes and Precautions", Afaq Journal of Sociology, University of Blida 2, 10, December 2015, p. 332-311.

became an imminent threat to security in general; what exacerbates this phenomenon is that it has an estimated 1200 km of land crossing ports and sea borders, and legal immigration by sea is the preferred method of immigration to Western countries.

A review of illegal immigration discovers that it is not stopped by a number of economic or political factors alone, but is controlled by other factors, including psychological and social, that the individual has a desire and ambition that he or she tries to achieve in the receiving countries after their approach to the deadly adventure.

Initially suffering from temporary illegal immigration, Algeria today suffers from permanent illegal immigration and therefore Algeria has become a country of stability from a transit country; the second part is the migration of Algerian youth by sea to Europe, specifically to Spain, where the term "burning" is known, and therefore Algeria faces three types of illegal immigration:

illegal immigration to stay in Algeria, illegal immigration for foreigners to cross into Europe, illegal immigration to Europe by sea for Algerians; Undoubtedly, such a phenomenon has repercussions at the political and security level; because the constant presence of immigrants is considered a source of security threat and the emergence of various forms of crime (rape, theft, murder, assaults, drug trafficking, document forgery and etc.).

Moreover, according to National Gendarmerie reports, a large number of increasing and no longer limited to young people, but also different age groups, including children and the elderly, as well as men and women, suffer from migration by death boats; Gendarmerie services conducted a study showing the number of illegal immigration operations that resulted in the arrest of 129 women and a total of 7,824 illegal immigration candidates, 2.45 percent of the total detainees, most of them young women; The study did not refer to their age, social and professional status, but described the subject as dangerous and criminal.

Illegal immigrants are not simple workers who can accept the lowest wages, but now hold professional degrees and sometimes graduate from prestigious faculties such as medicine, pharmacy, engineering and other important faculties.[30]

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[30] Fehar Hammou, "Illegal immigration in Algeria and the position of the Algerian legislator on this matter", Al-Wahat Journal of Research and Studies, Ghardaia University, vol 9, p. 2, 2016, p. 229-245.

3.3. Reflections of Illegal Immigration to Algeria

Firstly, the phenomenon of irregular migration to Algeria has negative repercussions and various risks affecting the development of Algerian society in general; in particular that this phenomenon is associated with many other threats, such as various forms of organized crime, drug, arms and human trafficking and smuggling, money laundering and counterfeiting, terrorism, the spread of epidemics and diseases, and other threats and dangers; the economic repercussions are represented in the damage done to economic production and development efforts in Algeria due to illegal actions by illegal immigrants; this leads to waste of funds and the spread of crimes related to illegal fundraising such as theft, threats, bribery, corruption, smuggling, forgery and laundering; furthermore, the spread of tribal, religious and other conflicts between immigrants and local populations, as well as the political and security repercussions that are very serious as the influx of migrants is linked to gangs specializing in all kinds of crimes, including smuggling, kidnapping, arms and drug trade, assault and others.[31]

In addition, when Algeria's borders are considered as a very large area that is difficult to control, the risks of illegal immigration are multiplied as this area becomes a safe haven for terrorist groups that can deal with immigrants as organized crime gangs, and all these cause very serious security threats to the country.

Hidden migration brings with it many problems that make it a source of concern for many countries and decision makers due to its association with crime, terrorism and diseases. In addition to the economic and cultural level, national identity, educational standards and other problems, these problems have serious repercussions on the stability and security of countries.

Security risks are also one of the worst risks of illegal immigration because they threaten national security through the possibility of placing agents and subversive elements among illegal immigrants. This, in turn, leads to the emergence of terrorist cells that cause conflicts and security problems in receiving countries, and assists in smuggling weapons, explosives and ammunition into immigration countries to destabilize their security.[32]

The phenomenon of illegal African immigration to Algeria increases the frequency and diversity of crime as it can aid the growth and spread of guns, misguided ideas of extremists

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[31]Mohamed Al-Wijdan, "Illegal immigration to Algeria: Causes, repercussions and wars", previous reference, p. 64.

[32]Warida Jandali, "Illegal immigration: security implications and ways to combat it between reality and challenges", Journal of the Journal of Legal Studies and Research, University of Skikda, vol. 8, p. 63.

and other related forms of crime such as theft, drug promotion or various terrorist activities and crimes. Here we can conclude that there is a correlation between migration and various other criminal networks in which migrant transport groups and networks are active in the western Mediterranean as a link between the northern and southern coasts. Criminal activity has increased significantly and accelerated, especially in the face of the urgent desire of immigrants to leave their homeland and settle in Europe. These networks, because of their ability to contribute to the movement of migrants and their passage to the northern shores of the Mediterranean; It has become one of the most dangerous global networks, by running publicity and propaganda operations for clandestine migration movements among Maghreb societies, taking advantage of the difficult living conditions in Maghreb societies where many segments of society, especially young people, suffer.

It has become a lucrative and attractive industry for smuggling networks working to attract as many undercover immigrants to Europe as possible. The phenomenon of irregular migration nurtures criminal networks by providing humanitarian support, taking advantage of the plight of migrants and working to integrate them into their branches and networks.[33]

4. Epilogue

Algeria sought to contain illegal immigration by adopting strategies with political, security, legal and economic dimensions, while following the reports of the National Gendarmerie on its regular movements in monitoring the flow of migrants across the borders and controlling it through humanitarian incarceration, deportation and tolerant prosecution. Algeria also paid attention to regional and Euro-Mediterranean cooperation to achieve tangible results on the ground, and also provided various practical measures to support youth economically and end unemployment in order to reduce youth flight to Europe. It provided the deportation of illegal immigrants to their homeland under humanitarian conditions in order to intensify the protection of the land borders of the Sahara with neighboring countries, which promotes immigration to Algeria and threatens its security and stability, as well as to reduce this phenomenon of secret immigrants to reduce this phenomenon and protect the homeland from any threat that destabilizes the homeland.

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[33]haira Wigy, "The phenomenon of African illegal migration in the countries of the Maghreb in the light of current regional conditions: an examination of causes, repercussions and ways to combat it", Al-Mi'yar journal, volume 25, p. 59, 2021, p. 816-833.

Algeria has sounded alarmed over illegal immigration and security threats and urged the international community to confront the devastating consequences of the spread of crime, fraud, currency fraud and smuggling. This is what Algeria is suffering from and it is focusing on it with various security units. In addition, the state needs to redouble its efforts to contribute to the reduction of clandestine immigration, through the development of southern Algeria, the establishment of major projects and base structures, and the operation of tourism as an alternative to increasing national income and per capita income, it aims to strengthen the country's stability in a development policy that preserves its individuals and institutions.

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LEGISLATURE ROLE IN CURBING CORRUPTION IN LIBERIA

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Abstract

This study aims to explore the role of Liberian Legislature in curbing corruption in Liberia. The objective of this study seeks to discover the role of the said Legislature in the fight against corruption by applying investigation skills, showing self-integrity, providing litigation support service and documentation and reporting. Participants of this study were 150 youths from local organizations/intellectual forums with massive experience and understanding on the topic who purposely volunteered to get involved in questionnaires data collection, and out of them 15 were selected for interviews. Descriptive statistics combined with a qualitative content analysis were utilized for data analysis. The results indicated that the Liberia Legislature is irrelevant in investigating crime and corruption in the country. The study shows that the Liberia Legislature plays a significant role in curbing crime and corrupt practices in the public sector since it provides a mechanism to hold people accountable, so that those who manage resources in a fiduciary capacity do not easily abuse that trust without detection. However, the Liberia Legislature prioritizes political interest. The research further recommended that the Liberia legislature should also see to it that the executive grants full autonomy to the agents of government that are tasked with enforcing accountability. Finally, the Honorable Legislature should be a fully independent entity, free to discharge its duties without undue meddling and interference.

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1. Introduction

Liberia gained her independent on July 26, 1847. It is the oldest African nation and richly endowed with monumental geographical and diverse natural resources ranging from iron ore, diamond, gold, timber, rubber, etc. Liberia possesses potential market ability for rapid economic development. However, with all these resources and advantages, Liberian remains one of the poorest countries in the world. Corruption has been a major problem in Liberia since independence, many cabinet institutions have become dysfunctional because of large-scale corruption practices. Projects are routinely abandoned, and no one is brought to justice. Public goods and resources are diverted to private ends.

Corruption is defined as the demolition of anything from the original form of purity through bribery, favouring political parties or for one's private consumption. Corruption operates within the broad context of others social problems in Liberia. For Liberia to rise again, the Liberian Legislature has to execute their job effectively. Olajide (2000) noted that there is an increase in the alarming of fraud and fraudulent activities in Liberia, requiring the visibility of accounting services. As a consequence, many investors have flown out of the country because of improper way of transactions. A year ago, a German nationality was killed in the country as a result of being a victim of robbery.

There are several causes of corruption that undermine the economic development of Liberia. The widespread corruption in Liberia is traceable to the increasing wave of covetousness, greed, inordinate ambition, materialism, the get-rich-quick-syndrome of the post-civil conflict, nationwide poverty, inadequate social security, corrupt and selfish political system being operated and the inefficient socio-economic structures and systems put in place by the governments to ease the huge poverty and fight the corrupt practices. Another cause of corruption can be found in the award of contract, promotion of staff, dispersive of justice, and misuse of public offices, positions, and privileges, public funds theft, public books, public documents, valuable security and accounts. Another major cause of corruption in Liberia is ethnicity. Government officials deem it necessary to choose the wrong person, leaving the rightful person due to ethnicity.

2. Literature Review

The discussion on corruption in Liberia has remained an opened debate (Ogbeidi, 2012). Yet, corruption is getting high every day. Researchers, media houses and common man on the street

are discussing corrupt practices in Liberia (Sheu, 2015). Because of this, it has created bad image for the country. For instance, the Transparency International (TI) has ranked Liberia as one of the high levels of corruption (2012). Another report from United State Department of International Affairs (2012) also reported that there exists huge corruption in Liberia effecting and undermining the Economic Development of the country.

Several researchers have also studied the Liberian effort in fighting corruption. Few were concentrating on the development in Liberia (Agbiboa, 2013; Aluko, 2002; Ogbeidi, 2012). Though others reviewed the challenges of Liberia Anti-Corruption Commotion (LACC). (Sowunmi, Adesola & Salako, 2010; Umoh & Ubom, 2012). Furthermore, Enofe, Okpabo and Atube (2013), Owolabi, Dada, and Olaoye (2013) studied the impact of accounting film in fraud detection and consequently recommended the adoption of accounting knowledge in fraud detection. However, few studies have shown attention to organizational use of role of accountants in curbing corruption and they demonstrated an apparent inadequacy of study's findings on the adoption of accounting films. It is therefore the aim of this paper to review these challenges that are affecting the achievement of the objective of this study and to proposed a framework for understanding the factors influencing the adoption of accountability within the Liberia society.

The institute of Turkish History explains the word fraud as "a deceptive trick, game artifice, scam, caba which is committed to cheat, mislead someone and also supporting something useless to something in order to gain private benefit" (Turkman, 2007. P. 15). Fraud is "to create a misjudgement or maintain an exist misjudgement to induce somebody to make a contract" (Chi-Chi & Appah, 2012). The scholars remark that the term fraud is generic and is used in various ways. Fraud assumes so many different degrees and forms that courts are compelled to context themselves with only few general rules for its discovery and defeat.

(Arzova, 2003, cited in Augustine and Famous, 2013) argued that fraud is most likely to involve deliberate misrepresentation of information that is recorded and reported by an entity. Fraud poses a serious problem from an audit perspective because it is normally accompanied by efforts to cover, falsify or misdirect organization's records and reports. Most corporate frauds are complex in nature and difficult to detect by traditional auditors, as they cannot provide absolute assurance of their detection. This is because of the auditors "use of judgment, sample testing and the fact that evidences available to them are persuasive rather than conclusive in nature" (ISA, 2009). Enofe and Atube (2013) argued that fraud is rarely seen. He continues to state that, the symptoms of fraud are usually observed. The symptoms do not necessarily mean fraud is

being undergone as it may be caused by mistakes. According to Anyanwu (1993, in Onuarahet et al, 2012), fraud is an act or course of deception, deliberately practiced to gain unlawful or unfair advantage; such deception directed to the detriment of another.

Duffield and Grabosky (2001) as quoted by Gary, Seow, Suwardy and Gay (2011) defined fraud as an act involving deceit (such as intentional distortion of the truth or misrepresentation nor concealment of a material fact) to gain an unfair advantage over another in order to secure something of value or deprive another of a right. It occurs when a perpetrator communicates false statements with the intent of defrauding a victim out of property or something of value (Vasiu & Vasiu, 2004). Mukoro, et al (2011) quoting Edafehirhaye and Edafehirhaye (2008) defines fraud as "tendency and propensity to do what is wrong, evil or harmful to one's neighbouring spite of the knowledge of what is good. It is an attempt of subverting the rule of the game using trick to take public fund and using them for one's personal interest" (p. 15).

Association of Certified Fraud Examiners (2012) reported that fraud has been divided into three major categories as follows: corruption, assets misappropriation, and financial statement fraud. From the existing cases, there are many ways that fraud can be perpetrated from the simple misused of trust to the sophisticated computer-based offence. Anyanwu (1993), summarize the types of fraud on the basis of methods of perpetration include the following but not exhaustive as the methods are devised day in-day out. These include defalcation, suppression, outright theft and embezzlement, tampering with reserves, insider abuses and forgeries, fraudulent substitutions, unauthorized lending, lending to ghost borrowers, kite flying and cross firing, unofficial borrowing, impersonation, teeming and lading, fake payment. They further mentioned fraudulent use of the firm's documents, fictitious accounts, false proceeds of collection, manipulation of vouchers, dry posting, over invoicing, inflation of statistical data, ledger accounts manipulation, fictitious contracts, duplication cheque books, computer fraud, misuse of suspense accounts, false declaration of cash shortages among others.

The various forms of fraud include Bribery and extortion; Fraud and embezzlement; Unlawful use of public assets for private advances; Over- and Under-Invoicing; Payment of salaries and other benefits to ghost (non-existent) workers and pensioners; Payment for air supply (goods or services not supplied or rendered) (Singleton, Bologna, & Lindquist 2006).

3. Theory of the Study

The research employed Good Governance Theory (GGT) in order to demystify excellent leadership ability. The concept of GGT is utilized as a searchlight to produce good government and its principles that was adopted by (Woleola J. Ekundayo, 2017) can be used as an indicator to evaluate good governance system in Liberia. The GGT is connected with governing techniques and structures in developing nations, and it is especially important to governance in Liberia due to the country's status as a developing country.

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│  ┌──────────────┐      ┌──────────────┐      ┌──────────────┐        │
│  │ RULES OF LAW │──────│ TRANSPARENCY │──────│ ACCOUNTABILTY│        │
│  └──────────────┘      └──────────────┘      └──────────────┘        │
│  ┌──────────────┐      ┌──────────────┐      ┌──────────────┐        │
│  │    LACC      │◄─────│  LEGISLATURE │─────►│     NSA      │        │
│  └──────────────┘      └──────────────┘      └──────────────┘        │
│  ┌──────────────┐             │              ┌──────────────┐        │
│  │  CORUPTION   │             │              │ INVESTIGATION│        │
│  └──────────────┘             ▼              └──────────────┘        │
│            ┌──────────────────────────────────┐                      │
│            │   GOOD GOVERNANCE THEORY          │                      │
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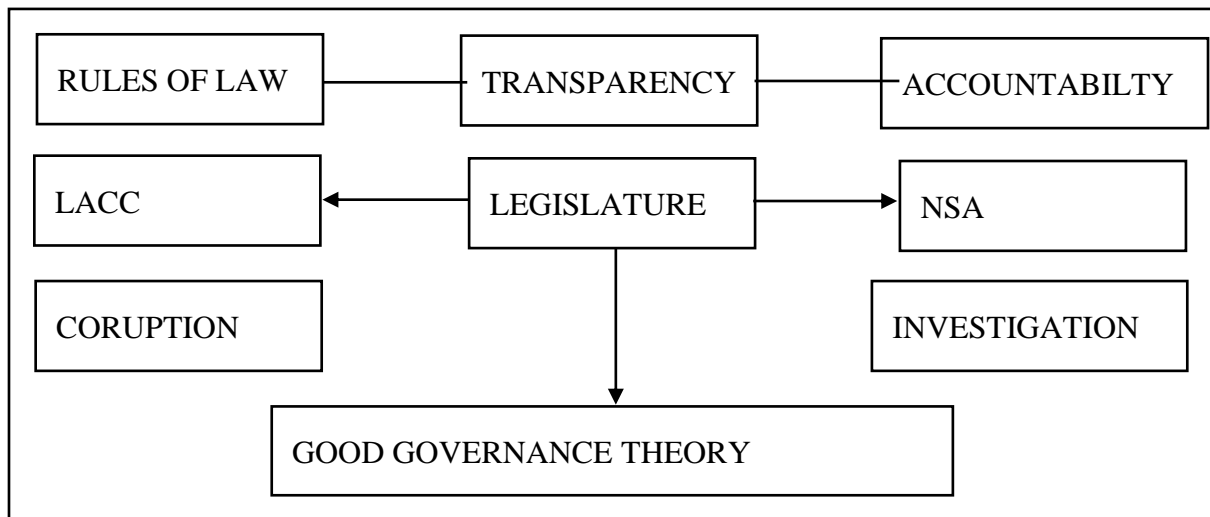
Fig 1. Conceptual Framework

GGT was employed in this study to improve Legislative functions. The GGT and it three principles will help the Legislature alongside the Liberia Anti-Corruption Commission (LACC) and the National Security Agency (NSA) to be effective in eradicating corruption in Liberia. The LACC was founded in august 28, 2008 by an Act of Legislature with the mandate to investigate and prosecute acts of corruption in Liberia as well as to educate the citizen about the problem of corruption and the benefit of its eradication. On May 20, 1974, The NSA was the only agency by President Williams R. Tolbert, Jr., solely responsible for gathering national security intelligence, and to conduct special investigations, whenever the need arises. Later, on August 30, 1974, the Act creating the National Security Agency (NSA) was published by the Ministry of Foreign Affairs in Monrovia, Liberia

(https://www.nsa.gov.lr/web/web/general/about-national-security-agency-nsa).

Accountability, Rule of Law and Transparency are the three fundamental principles chosen by the researchers to entrust the Liberian Legislature in providing good leadership ability as to avoid corrupt practices among government officials.

4. Accountability

This principal lies at the heart of good governance philosophy. It underlines that all players, notably those in government, voluntary organizations, business and civil societies, among others, must be held accountable to society (Rotberg, 2004; Rothstein & Teorell, 2008). This principal will enable every political actor and government workers to give account to the citizen for their activities. As a result, every public official, whether elected or appointed by the president, must account for their political activities and answer to the source from which their power derives. For instance, Senator Darius Dillon promised to be accountable to the elector once he is elected. After his election, he was called "the Light" because of him being accountable(open) to the common people. The research recognized his effort of being transparent and hope to see all the legislators do the same in order to decrease or eliminate corrupt practice among government officials.

5. Transparency

Transparency is another important component of good governance philosophy. It stresses that the decision-making process, the final conclusions made, and the implementation of such decisions must all be carried out in accordance with rules and regulations. It requires that adequate information be freely distributed in a manner and media that is easily understood and directly to the people who would benefit from it. This component will help the Liberia legislature in implementing good leadership ability to fight this disease called corruption.

6. Rule of Law

This is another key principle of good governance theory that ensures equity, fairness, and justice in society. Individual and group rights must be fully entrenched, and laws must be followed impartially, which necessitates an independent court as well as an impartial and incorruptible police force, according to good governance theory. The constitution gives the right to the legislature to make the law and prosecute any government official who violate the law. This principle of good government is the best theory to eradicate corruption in the Liberian society.

7. Research Methodology

7.1. Participants

The participants in this study were 150 individuals across the 17-sub district in Montserrado County, Liberia. Considering this study aims to explore the perception of various intellectual centers within the 17-sub district in Montserrado County on the role of Legislature in curbing corruption in Liberia Creswell, J. W, (2007). The participants were purposively recruited on the basis of their experience and understanding on corruption in Liberia and how the Legislature fights against it. Without such experience, they might be incapable to provide tangible information that address the research objectives in the study. The 150 participants involved 25 members from 10 intellectual centers in Montserrado County to elicit quantitative data that was used for analysis. With regards to the selected intellectual centers, they represent decent members within the Montserrado Area.

7.2. Instrument

A mixed-method research design was adopted in this study since it attempts to explore deeper insights and patterns into the perceptions of the participants towards corruption and its effect on economic development and what role the Liberian Legislature plays in curbing this deadly disease. The mixed-method approach was employed by means of two research instruments: questionnaire and semi-structure interview for both quantitative and qualitative data, respectively, the questionnaire was adopted from (Jenkins, 2007). Few items from their questionnaires were adapted to meet the research objectives and also, the study context in order to make it more effective and appropriate for the research. The questionnaire of this study focuses on Legislature attitude on how they deal with this problem effecting and undermining the economic development in the country.

7.3. Data Collection and Analysis Procedure

The researchers deemed it necessary to make a separate individual contact to each intellectual forums during the entire process in order to schedule convenient times/date to meet with the participants. After the scheduling was fixed, the researchers then fully approached at administering the questionnaire to the participants in an appropriate area since this study is a sensitive one and therefore, it needs to protect the ethical consideration of the study. This study follows the concept of the five principles of Research Ethics in order to protect participant's confidentiality as a key factor. If RIB or any other paper is required to be made, researchers will exactly follow the process until allowed to precede the research. The researchers did not

force any participants. In fact, participants were recruited based on their willingness and they were allowed to leave anytime at their own convenient. The researchers interacted in a friendly manner with the participants to get them comfortable and relaxed. The researchers discussed on general issues about corruption and how to curb it. The researchers explained the study aim to the participants and were assured of anonymity throughout the research.

7.4. Research Objectives

From Literature Reviews the following research objectives were formulated as follows:

1. To Compare males and females' perception about level of corruption in Liberian.
2. To investigate if Corruption is rampant among gov. officials.
3. To assess if Legislature has the power to fight corruption among gov. officials.
4. To check if the Government lack the intervention mechanism or willingness to curb the rampant corruption.
5. High level of corruption in Liberia is the cause of bad governance
6. To determine if the Law makers put political interest aside, they can eradicate corruption.
7. To find out if the Legislature works with both the LACC and NSA we can eradicate corruption in Liberia.

7.5. Research Questions

From research objectives, the following research questions were formulated:

1. Do males and females perceive the level of corruption in Liberian differently?
2. Is corruption really rampant among government officials in Liberia?
3. Is high level of corruption in Liberia the cause of bad governance?
4. Does the Government lack the intervention mechanism or willingness to curb the rampant corruption?
5. Does the Legislature have the power to fight corruption among government officials?
6. Can law makers eradicate corruption if they put political interest aside.
7. Can corruption be eradicated in Liberia if the Legislature works with both the LACC and NSA?

7.6. Research Hypotheses

1. Males and females perceive the level of corruption in Liberian differently.
2. Corruption is really rampant among government officials in Liberia.

3. High level of corruption in Liberia is the cause of bad governance.

4. Government lacks the intervention mechanism or willingness to curb the rampant corruption.

5. Legislature has the power to fight corruption among government officials.

6. Law makers can eradicate corruption should they put political interest aside.

7. corruption can be eradicated in Liberia if the Legislature works with both the LACC and NSA.

8. Data Analysis and Results

8.1. Demographic Variables

Table 1. Demographic Distributions of the Respondents' Status.

Variables	Responses	Frequency	Percent
Distribution of the Respondents by Age	17-20	15	10.0
	21-23	21	14.0
	24-26	31	20.7
	27-30	33	22.0
	31-35	27	18.0
	36-Over	23	15.3
	Total	150	100

Variables	Responses	Frequency	Percent
Distribution of the respondents by Sex	Male	75	50.0
	Female	75	50.0
	Total	150	100

Variables	Responses	Frequency	Percent
Distribution of the respondents by level of Faculty	Freshman	20	13.3
	Sophomore	15	10.0
	Junior	17	11.3
	Senior	38	25.3
	Master	38	25.3
	PhD	22	14.7
	Total	150	100

Variables	Responses	Frequency	Percent
Distribution of the respondents by Faculty	Agriculture	20	13.3
	Social Science	15	10.0
	Engineering	17	11.3
	Law	38	25.3
	Political Science	38	25.3
	Medicine	22	14.7
	Total	150	100
Variables	Responses	Frequency	Percent

Table 1 showed that majority of the respondents fell into the age group (27-30 years) 33 respondents representing 22% fell into this age category while only 15 (3.5%) fell under 17-20 years. The table above also shows that half of the respondents were females (75%) while males constituted 75%, indicating equal females participated in the research are proportional to male respondents. The respondents fell roughly into the six faculties of University of Liberia (UL) in Monrovia, with Master degree students recording 38 respondents (25.3%), Finally, recording 38 respondents (25.3%), Senior Students also recorded 38 respondents (25.3%), PhD degree recorded 22 respondents (14.7%), Freshmen recorded 20 respondents (13.3%), Junior had 17 respondents (11.3%) and Sophomore had 15 respondents (10.0). Finally, Master degree students recording 38 respondents (25.3%), Finally, Law recorded 38 respondents (25.3%), Political Science also recorded 38 respondents (25.3%), Political Science Faculty also recorded 38 respondents (25.3%), Medicine recorded 22 respondents (14.7%), Agriculture recorded 20 respondents (13.3%), engineering had 17 respondents (11.3%), Social Science faculty had 15 respondents (10.0).

8.2. Independent Samples Test

Table 2. Mean, Standard Deviation and t-Value of Younger and Older Students on Corruption in Liberia.

Independent Samples Test	95% CI of D

Positive	N	M	SD	F	Sig.	t	df	Sig (2-t)	M D	Lower	Upper
Male	75	49.41	1.55	227.74	.001	15.747	148	.001	21.63	18.91	24.34
Female	75	27.79	11.79								

Table 2 displays an independent test conducted to measure the degree of association between the role of legislatures and level of corruption. Table 2 indicates the significant difference was found on the Corruption Scale. males scored higher (M = 36.93, SD = 1.55) than females (M = 27.79, SD = 11.79). [t = 15.747, mean difference = 21.63, and 95% CI (18.91. 24.34)]. Leven Statistics Test F (2,148) = 227.74. *P*<001. Therefore, corruption level perceived by males is higher than that of females.

Table 3. To the Best of Your Knowledge Indicate Your Degree of Familiarity with the Country's Judiciary and Legislative Set Up

Respondents	Frequency	Percent
Excellent	79	52.7
Very good	86	57.3
Neutral	24	16.0
Good	13	8.7
Fair	1	0.7
Total	150	100.0

Table 3 illustrates respondents' views about the levels of their familiarities with the country's Judiciary and Legislative set up, 79 52.7%) were excellently familiar with it, 86 (57.3%) had very good familiarity, 24 (16.0%) of the participants' familiarity was neutral. 13 (8.7%) had good familiarity, and finally, 1 (0.7%) were fairly familiar with the matter. These results implied that majority of the participants had very good familiarity with the country's Judiciary and Legislative set up.

Table 4. In Your Opinion Rate From 1 to 5 that Government Lacks the Intervention Mechanism or Willingness to Curb the Rampant Corruption

Responses	Frequency	Percent
Strongly Disagree	17	11.3
Disagree	13	8.7

Neutral	18	12.0
Agree	23	15.3
Strongly Agree	79	52.7
Total	150	100.0

Table 4 expresses the respondents' beliefs government lacks the intervention mechanism or willingness to curb the rampant corruption, 23 (15.3%) agreed, 18 (12.0%) were neutral. 13 (8.7%) disagreed on the opinion, and finally, 17 (11.3%) strongly disagreed on the matter. These results implied that majority of the participants 79 (52.7) strongly agreed that government lacks the intervention mechanism or willingness to curb the rampant corruption (See Excerpts 1).

Excerpt 1

The government can easily make a stop to this rampant corruption once and for all if it is honestly willing to do so. However, the problem is not that the government does not have means and methods to put in place officials capable of eradicating corruption. The true is, and I am quite certain, that the Government looks away or does not care at all when it comes to issues of corruption.

According to research, many undeveloped country lacks the ability to curb rampant corruption. Of course, the government has all intervention, human capital and power to curb rampant corruption. However, it is so obvious the government is hugely handicapped or incapacitated to tackle the shameful phenomenon head on, due to incompetence, lack of resolve and ambivalence.

Table 5. In Your Opinion Rate from 1 to 5 that Corruption in Liberia is Really Rampant Among Government Officials in Liberia.

Respondents	Frequency	Percent
Strongly Disagree	23	15.3
Disagree	7	4.7
Neutral	24	16.0
Agree	31	20.7
Strongly Agree	65	43.3
Total	150	100.0

Table 5 presents respondents' statements that corruption is really rampant among government officials. 65 (43.3%) strongly agreed on the opinion, 31 (20.7%) agreed, 24 (16.0%) were neutral. 7 (4.7%) disagreed on the opinion, and finally, 23 (15.3%) strongly disagreed on the matter. These results implied that majority of the participants strongly agreed that corruption is rampant among government officials. Five of the succeeding tables individually present in-depth results of these variables. From the intensive interview data, the participants' views on these issues raised are clearly presented below (See Excerpts 2-3).

Excerpt 2

I'm speaking to you with the conviction that corruption is at the high level among government officials in this country. For the fact that there's no accountability process, government fails to publish their access. The government officials are getting rich overnight in a short period of time. Once again, the corruption is rampant among government officials in the country and we hope to see change in order to see a better Liberia.

Excerpt 3

Definitely, Corruption is rampant in Liberia evidenced by the former president and first female president of Liberia, Madam Ellen Johnson Sirleaf, when she came out publicly that corruption had become a vampire that ate every fabric of Liberian society.

Other studies implied similar views on corruption in Liberia as Ige (2016), noted that corruption which has become part of Liberia culture, is one of the major social immoralities that have been devastating the country since her independence in 1847. This dangerous virus called corruption affects public trust and confidence on the leadership. Yet corruption is rampant among government officials.

Table 6. In Your Opinion Rate from 1 to 5 that Corruption in Liberia is Caused by Bad Governance

Responses	Frequency	Percent
Strongly Disagree	23	15.3
Disagree	7	4.7
Neutral	24	16.0
Agree	31	20.7
Strongly Agree	65	43.3
Total	150	100.0

Table 6 presents the overall perception of respondents' opinions corruption in Liberia is caused by bad governance. 65 (43.3%) strongly agreed on the opinion, 31 (20.7%) agreed, 24 (16.0%) were neutral. 7 (4.7%) disagreed on the opinion, and finally, 23 (15.3%) strongly disagreed on the matter. These results implied that majority of the participants strongly agreed that corruption is caused by bad governance. The intensive interview (see excerpt 4-5).

Excerpt 4

The lack of integrity gives birth to corruption. Corruption without doubt gives birth to bad governance. Corruption is one of the key factors that gives rise to gross incompetence in governance. In any given society where there's a high level of corruption, favouritism and injustices, there will be several issues in terms of governance. Corruption is not just undermining governance; it undermines national development and progress as well. The population of Liberia is estimated 5.5 million as of 2018-2020. The National revenue and the fund generated from the country natural resources should be able to improve the lives of innocent people but sadly, bulk of the revenue accrued are embezzled by government officials. When Leaders are not appointed with integrity and merits, corruption and mismanagement become the norm. It breeds massive corruption and bad governance. Because those that are appointed or elected knows nothing about government or the responsibility they are given to discharge. In the end, only bad governance and corruption takes the lead.

Excerpt 5

Absolutely, High level of corruption in Liberia contributed not only bad governance but also bad Economic state of the nation. Corruption has jeopardized the governance system to the extent that it has weakened the justice system wherein only rich are getting the justice whereas poor are left in the state of dilemma.

Several studies point out that corruption is one of the main causes of bad government in the country (Myint, 20). The result in this study indicated that once corruption exits in the government circle, the country will continuesly experince bad governance as the economic development will be affected and citizens will remain poor. further studies suggest that corruption weakens economic growth through many ways (Hellman, Jones, & Kaufmann 2000; Tanzi & Davoodi 1997; Mauro 1997).

It (Michael, 2004) made clear evidence of Liberia where conflict, political instability, poor infrastructure, problem of poverty, deteriorating economy, insufficient electrical supply and many more. Conventions, International laws have been enacted to improve governance and eliminate corruption among governments Izibili and Aiya, (2007). For example, the Liberia Anti-Corruption Commission was established to combat bribery by public officials. The United Nations General Assembly founded the United Nations Convention Against Corruption (UNCAC) in order to prevent and detect corrupt practice among nations in the world (Lin and Zhang, 2009).

Table 7. In Your Opinion Rate from 1 to 5 that Legislature has the Power to Fight Corruption Among Government Officials

Responses	Frequency	Percent
Strongly Disagree	6	4.0
Disagree	26	17.3
Neutral	15	10.0
Agree	34	22.7
Strongly Agree	69	46.0
Total	150	100.0

Table 7 illustrates the participants' statements that Legislature has the power to fight corruption among government officials. 69 (46.0%) strongly agreed on the opinion, 34 (22.7%) agreed, 15 (10.0%) were neutral. 6 (4.0%) disagreed on the opinion, and finally, 23 (15.3%) strongly disagreed on the matter. These results implied that majority of the participants strongly agreed that Legislature has the power to fight corruption among government officials. From the intensive interview data, the participants' views on these issues raised are clearly presented in Excerpts 3-5.

Table 7 shows that the Legislature has the power to fight corruption among government officials in Liberia. The interview result can be found in excerpt 6-7 and 8 below.

Excerpt 6

The legislature is the first branch of government in Liberia. That body of the government has the power to get rid of corrupt individual by prosecuting them according to the law. They made the law…. So, they can also enforce the law by defending the said law that was made by them. The legislature even has the power to impeach the president if he/she violates the constitution. The constitution allows and gives them the authority to prosecute anyone who violates the law. So, they have the power to fight and eliminate corruption in this country.

Excerpt 7

The legislature is the most powerful branch of the Liberian government in any democratic country. The Legislature has the power to make laws, repeal and oversight any government agencies including the Executive. It has the power to establish an autonomous agency in consultation with executive. The legislature has the power to summon any official of government to answer to uncertainties. It can work closely with the agencies responsible for executing corruption related cases. With good laws enacted by the legislature, and with honesty and love for national progress, the legislature with its vast knowledge and jurisdiction has the power to eradicate or minimize corruption to the lowest.

Excerpt 8

Legislatures have the power to curb corruption as enshrined in the organic law which depict three cardinal functions of lawmaker: law-making, representation, and oversight. The Constitution gives them the power of oversight in which they checkmate the Government officials (Executive and Judiciary on the issue of bribery). But sadly, they have reneged on these responsibilities.

The Liberia Legislature has the power to curb corruption in Liberia but they used their authority to recklessly exploit money (Owolabi, 2007). Both the quantitative and qualitative results indicated that the Liberia Legislature has the power to eliminate corruption among government official by using the law to prosecute. The Liberia Constitution Chapter five article 29 stated that "the Legislative power of the republic of Liberia shall be vested in the Legislature". Article 42 also preserves the legislature from being arrested, detained, prosecuted, or tried as a result of opinion expressed by the law maker. Practically, the Liberia Legislature has the right and power to fight corruption among government officials by using the law as a weapon.

Table 8. In Your Opinion Rate from 1 to 5 tshat Law Makers Can Eradicate Corruption Should They Put Political Interest Aside

Responses	Frequency	Percent
Strongly Disagree	17	11.3
Disagree	13	8.7
Neutral	18	12.0

Agree	23	15.3
Strongly Agree	79	52.7
Total	150	100.0

Table 8 expresses the respondents' beliefs that law makers can eradicate corruption should they put political interest aside, 23 (15.3%) agreed, 18 (12.0%) were neutral. 13 (8.7%) disagreed on the opinion, and finally, 17 (11.3%) strongly disagreed on the matter. These results implied that majority of the participants strongly agreed that law makers can eradicate corruption should they put political interest aside. Table 8 illustrates their perspective on. Similar views were expressed. (See Excerpt 9-10 and 11) if Legislator put political interest aside, corruption will be minimized in the country.

Excerpt 9

The issue of fighting corruption is not just based on political interest. Political interest is symbolism used to hide sinister agenda. We must bear in mind that corruption is an innate behaviour that is manifested with time and space. If a person is corrupt, they're only exposed when in the political arena explodes. However, if there are lot people of integrity and love for country and people, they can beat corruption to the least number. Whether political interest or not, it's based on the individuality of members of the legislature. Even if all the legislatures were independent candidates, as long there's no integrity, and love for country in their hearts, only corruption mindsets will be generated. They will use every means possible to exploit and extort money.

Excerpt 10

of course, yes, if Legislature puts political interest aside, and forget about partisan politics, the issue of corruption will be reduced. With this, even the president will be held accountable.

Excerpt 11

We are aware that getting rid of corruption completely in a country like Liberia and other democratic states is very complicated and difficult to do. But when there's a strong penalty attached to the act of corruption, it will curtail the act. Liberia is a country where the citizens themselves motivate corruption. The people with good mindsets are not supported and the corrupt are hail as heroes. With high level of favouritism, political affiliation, and tribal

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alignment, it will be hard to handle a corruption. So, even if the laws are implemented, it will not end or eradicate corruption fully.

Few years ago, corruption remained an issue on fringe of international development. Later, leaders and international practitioners of develop countries avoid the problem of corruption because it was considered as an enemy of the state (Huntington 1968). This section of the finding reveals that the Legislature should put aside political differences in order to combat corruption that has negative effect of the economic growth of the country.

Table 9. In Your Opinion Rate from 1 to 5 that Should Legislature Work with Both the LACC and NSA We Can Eradicate Corruption

Responses	Frequency	Percent
Strongly Disagree	7	4.7
Disagree	23	15.3
Neutral	18	12.0
Agree	36	24.0
Strongly Agree	66	44.0
Total	150	100.0

Table 9 presents participants' indication that if Legislature work with both the LACC and NSA we can eradicate corruption. 66 (44.0%) strongly agreed on the opinion, 36 (24.0%) agreed, 18 (12.0%) were neutral. 23 (15.3%) disagreed on the opinion, and finally, 7 (4.7%) strongly disagreed on the matter. These results implied that majority of the participants strongly agreed that should Legislature work with both the LACC and NSA we can eradicate corruption.

LACC is an independent electoral body that is designated to eradicate or prevent fraudulent conduct among government officials and private sectors. On the other hand, the Liberia Legislature has the privilege to conduct investigation among government officials who misuse their office for private benefits. Table 7 illustrated that if both the LACC and NSA collaborate with the Liberia Legislature, corruption can be eradicated or limited in the country. Among 250

(100%) members, 237 (94.8%) strongly agreed, 13 (5.2%) agreed to the opinion. Similar views were expressed in excerpt 12.

Excerpt 12

In every aspect of life, Team works always bring success. Seeing the Legislature cooperating with the NSA and LACC, there will be some success story in the fight against corruption. What will be even good is to see the legislature vesting the persecutory Power to the LACC. With such power granted to LACC, that body will be held accountable and auditable by the Liberia Legislature.

The findings are consistence with previous studies such as Ribadu (2006) that independence corrupt practice and other related offense commissions such as National Security Agency (NSA) emerge as a policy response to curb corruption in Liberia. This finding reveals that when both the LACC and the NSA collaborate with Liberia Legislature, corruption will be the best enemy in Liberia.

9. Conclusions and Recommendations

The findings from this analytical research indicate that the Legislature has huge impact in fighting corruption in Liberia. The findings further stated that for corruption to be eradicated, the Legislature should be effective in ensuring that it implements the law and prosecute the acts. The legislature is the first branch of government in Liberia and the constitution mandates this body of the government to investigate and prosecute the acts. Going forward, the Legislature has the power to impeach the president and the justices of the supreme court. Since the study reveals that the Legislature has the power in curbing corruption in Liberia, the following prescriptions are provided for recommendations:

a. One of the reasons for the rise of corruption is the inadequate implementation of the law to prosecute. Therefore, the need arises to choose the knowledge of independent workforce through regular seminar and workshops of corporate governance ethics.

b. To prevent bad performance, the LACC should improve its surveillance and monitoring systems over the nation's ministries, commissions, private sector organizations, banking and financial industry, universities, and so on to predict poor Accountability on corruption and corporate governance ethics impunity.

c. The LACC, NSA, and other organizations tasked with eradicating this deadly disease call corruption in Liberia should focus their searchlights on political office-holders, government officials and anyone who might be conduit for illicit money flows.

d. The electoral voters should participate in combating corruption in Liberia by electing men and women with integrity so as to allow them make the proper decision to implement the law and prosecute anyone who violates. You cannot elect thief and you expect the thief to behave like an angel.

e. To eradicate corruption in Liberia, the legislature should put aside political affiliation and fight corruption as a Liberian entity. With the idea of patriotism; putting the country first for better Liberia ahead.

Liberia is one the poorest countries in the world. Corruption Perception Index (CPI) 2020 ranks Liberia 137 out of 179. This paper has shown clearly that poor performance by the Legislature has implication on the huge malpractice among government officials, private sectors, universities, schools, even security sectors. Hence, there is need to enforce these laws prescribed by the Liberia constitution. Thereafter, the constitution mandates the Legislature to investigate government officials and private sectors who are involved in malpractice. To this end, Ibietan (2013) noted that corruption is the largest agency in Liberia with various practitioners and Obuah (2010) stated that corruption stands high level to destroy the economics of the country. This is a very serious problem and it requires the attention of all sectors to rescue the image of the country from stereotype. This research acknowledged Hon Abraham Darius Dillon who was voted by the people in the sole purpose of transparency and accountability among his colleague in the house.

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Research Questionnaire

1. Demographic distributions of the respondents' status.

Age

☐ 17-20   ☐ 21-23   ☐ 24-26   ☐ 27-30   ☐ 31-35   ☐36-Over

Gender

☐ Male   ☐ Female

Level of Study

☐ Freshman   ☐ Sophomore   ☐ Junior   ☐ Senior   ☐ Master   ☐ PhD

Occupation

☐ Agriculture ☐ Social Science ☐ Engineering ☐ Law ☐ Political Science ☐ Medicine

2. Knowledge of the country's Judiciary and Legislative set up:

Excellent (E) = 4	Very good (VG) = 4	Neutral (N) = 3	Good (G) = 2	Fair (F) = 1

3. Please indicate your level of agreement to the following on 5 scales:

Strongly Agree (SA) = 5	Agree (A) = 4	Neutral (N) = 3	Disagree (D) = 2	Strongly Disagree (D) = 1

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1 Males and females perceive the level of corruption in Liberian differently

2 Corruption is rampant among government officials in Liberia.   5 4 3 2 1

3 High level of corruption in Liberia is the cause of bad governance.   5 4 3 2 1

4 Legislature lacks the power to fight corruption among government 5 4 3 2 1
officials.

5 Government lack the intervention tools or willingness to curb the rampant 5 4 3 2 1
corruption.

6 Law makers can eradicate corruption if they put political interest aside.   5 4 3 2 1

7 corruption can be eradicated should Legislature work with both the LACC 5 4 3 2 1
and NSA.

8 Legislative power enhance the society fighting with the problem of 5 4 3 2 1
corruption.

9 Legislatures are the main role players to curb corruption in Liberia.   5 4 3 2 1

1 Legislatures rarely search for evidence of criminal conduct or assist the 5 4 3 2 1
determination of or rebuttal of claimed damages.

1 Legislators experience obstacles in obtaining documents necessary to 5 4 3 2 1
support or refute a claim.

IN THE CONTEXT OF THE POLITICAL ECONOMY OF SUB-SAHARAN AFRICA DURING THE POST-COLONIAL PERIOD: TÜRKİYE'S AFRICAN INVESTMENTS EXAMPLE OF "RENAISSANCE DAM"

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Abstract

The strategy implemented by the Republic of Türkiye in Sub-Saharan Africa needs to be examined not only in terms of Geopolitics, but also in terms of Political Economy. From this point of view, it is necessary to examine the economic difficulties or advantages that may arise.

African history and the political structure of Africa have not only a geopolitical point of view. The African continent, which was seen as a raw material and human resource during the colonial period, was also subjected to foreign influence in terms of "European Harmony" and other theories of domination. The role of Africa in the system put forward by Klemens von Metternich is being re-examined by the emerging new powers in the contemporary world. In this context, undoubtedly, the thesis "African solutions to Africa's problems" put forward by Türkiye should be considered not only as a point of view, but also as a historical, economic and sociological proposition. In this study, Türkiye's current policies towards sub-Saharan Africa will be discussed on the example of the Renaissance dam.

Keywords: African Geopolitics, African Economic Policy, African Investments, Turkish Foreign Policy.

1. Introduction

While Africa has an important place in terms of human history before colonization, African history is generally told with a European-based reading. In this respect, Africa can be a sub-narrative of European history instead of presenting a historicity. This judgment alone serves the idea that Africa's governance, which should be dominated, should have a quality that should not be left to its internal dynamics. This approach, which is put to a lower level than the phenomenon of orientalism, is also at the basis of western-centered civilization readings. Undoubtedly, the alienation[1] of Africa includes not only political but also economic approaches.

It has been accepted as data that there is a direct relationship between the internal security and welfare of African countries. The welfare of the African people has been the main subject of the conflict, therefore the welfare of west Africa has been seen as a threat to African policy. The desire to rule was applied as a hegemony over Africa. It is an important requirement that Africa's resources are obtained more cheaply and sustainably in the western-based production system. The thought at this level appears to us with a rather primitive reproach as an effort to keep the prosperity of the region low. It would not be wrong to say that the "uneven development process" put forward in Immanuel Wallerstein's World-systems Theory is the result of this belief.

What are the necessary policies to avoid increasing the prosperity of a region? Which ethical processes can be made by ignoring these policies? In order to answer these important questions, a historicity in accordance with the Annales School school is required in the light of premodern "market" dynamics and social sharing theories. The aim of the article is to examine the weak and strong sides of Türkiye's African policy after revealing the African ecopolitics from a historical perspective.

It turns out that the hierarchical African policies have no response in our age and that the "white man" in Africa cannot continue effectively. The trade systematics and ranking of the countries that are in the top five in both Chinese and African trade in general are also changing. The most

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[1] J. J. Rousseau takes the concept of "Alienate" as a prerequisite for obtaining power. If it is possible to alienate one section against another, or in other words, if it can be done, then what is worthy of ourselves for the alienated section does not have to be necessary for them either. A segment or a race can be alienated because the behavioral ethics in society is the same for everyone and it raises a problem that can be taken as a governance problem. This situation will no longer cause ethical problems in our behavior towards strangers (Rousseau,2012-p.114). In popular culture, George Orwell is described in his book "Animal Farm" under the title "all animals are equal, but some animals are more equal than others". The more equal section is undoubtedly the section that controls the power (Orwell, 2021-117).

important data is that the will of the African population and decision-makers not to be "passive" can also be seen. The political negotiation process to be established on sovereign and equal terms may be arranged through the increase of mutual commercial dependence. The hope arises that communication can bring about democratic and stable administrations on the African continent. The "PAX AMERICA" process has not and does not bring regular trade in a peaceful environment for Africa, but the new international system in which multiple players are in competition brings with it a new hope.

2. African Geopolitics and Political Economy Up to the Present Day
2.1. Unknown Lands "Terra incognita"

Contemporary approaches in historiography suggest the idea that only a chronic text will not reflect history. The necessity of considering factors such as geography, climate, sociology, etc. in historiography can answer the question of "Why" (Burke, 2006, p. 81). Undoubtedly, the fact that a long period in the history of Africa is considered only as the history of North Africa is due to the climatic and geographical difficulties in reaching Sub-Saharan Africa. Throughout human history, the relationship between Africa and western civilization has continued through North Africa. For example, Rome's greatest enemy, Carthage, ruled for a long time by invading Spain, likewise the Umayyad Caliphate and the Ottoman Empire went through a rather conflicting period with Spain. The Strait of Gibraltar, a narrow strait separating Spain and Morocco, is undoubtedly effective in this "invasion" model. The warrior tribes of North Africa and the Empires that control them have always been a threat to the West.

Is there no Africa other than the aforementioned and known history? Of course, states such as the Sultanate of Mali in Central Africa, Sudan in the Horn of Africa and the Kingdom of Ethiopia are regions that have had a lot of interaction with the Islamic civilization by their successors. The ancient civilizations of Africa were not only Carthaginian and Egyptian civilizations. Both Sudan and the Sultanate of Mali are the first ancient civilizations that come to mind. For example, it is known that Mansa Musa, who was the Sultan of Mali, on his pilgrimage, caused economic abundance in Egypt of the period with the wealth it brought, and even this situation shook the general economic order[2]. Although there are rumors about the

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[2] "Mansa Musa and those in the pilgrimage caravan revived the commercial life by doing great shopping during their stay in Egypt; The sultan and his entourage, fascinated by Egypt's beautiful fabrics and beautiful concubines, paid 5 dinars for 1 dinar's worth of goods, and this abundance of gold, which revived the people of Cairo, reached a level that reduced the value of gold in Egypt; and that gold prices did not rise for twelve years after this expedition, and the Egyptian people lived in abundance during this time; It is recorded that the Venetian merchants

riches of Africa, the West did not enter in the age of discoveries, remaining only on the Cape of Good Hope route. There is a general consensus in the literature as to the reason for this situation. Before the second half of the nineteenth century, the unknown lands, which were described as the "*White Man's Tomb*", were not discovered by the West due to natural obstacles and harsh climatic conditions. It is also claimed that the riches of Africa, which has been the subject of various myths since ancient Greece, did not attract the attention of Europe due to the fact that the competition area was America and India (Luraghi, 2019, p:195-198).

2.2.Discovery of Africa

The most important gain achieved by the hunter-gatherer society with the agricultural revolution was population growth. The increase in population and the abundance of human labor, the blending of this abundance with high energy efficient inventions such as water mills, sailing ships, and more complicated and difficult work with less human labor have prepared the agricultural society for the industrial revolution. Just like an energy reactor, human also produces labor by feeding (Cipolla, 2021, p.26-44). It was also predicted that the increasing population would cause economic difficulties after a certain point. As in Malthus' proposition, the population increases geometrically, on the other hand, the resources required to feed this population are scarce and increase arithmetically (Malthus,2017, p.29). Europe under the influence of mercantilism both needed human labor and was worried about its high cost.

Africa has always been known to the west, but it was too late to be discovered. For a while, Europe saw Africa only as human capital. In the age of discoveries, mercantilist thought had built an ecosystem in which every way to make a profit had to be tried and moral values could be ignored, and Europe, which had this belief, needed human labor. Producing more and being able to produce with less cost in this process meant more foreign trade surplus. African people continued to be seen only as a source of energy because they had an alien look (Rousseau,2011-p.56). Tocqueville mentions that even the idea of being a Christian for "slaves" is incomprehensible to "masters". So much so that they do not even worry about their own future. They have been ignorant because of hard work, so they can turn even Christianity into an exciting and ugly superstition (Tocqueville, 2016, p. 296). West Africa was defined as a non-self community with an exclusionary social perspective. They could serve the white man and

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in Cairo reported this situation to their administrators and reported that the State of Mali became an important trade center and replaced Gāne in the region." (Kavas, A. 2004.146-148)

the natural ethics might not apply to them. This attitude meant working harder for African-Americans like other Africans.

Europe, which had passed from an agricultural society to an industrial society, needed more raw materials and was entering into an imperialist competition for this purpose. Shillington called this period of African history the "Scramble for Africa" (Shillington,2020, p.453-474). After Europe identified Africa as an economic resource, a violent "Discovery" began. While the West's appetite for exploration had an area of influence in a very small part of Africa at the beginning of the 19th century, it ended with its transformation into a full colonial continent at the end of the century. The riches of Sub-Saharan Africa became a prime target of the West, so much so that a "gentleman's" agreement was even struck (Ferro, 2017, p.134). The real question is why or how the peoples, rulers and primitive states of Africa were ignored compared to the west. The West turned its industrial superiority into a war machine in Africa and did not hesitate to use this violence locally. The purpose of territorial supremacy in Africa was explained as "*Preserving the Empire*". Although Ferro defines this emphasis as "a state's will to expand its power without any purpose without any limits" (Ferro, 2017, p.39), it is understood that it is a power balance policy, which is a system of strict realist alliances. In the system put forward by Klemens von Metternich, Africa's role in "Concert of Europe" is designed to balance the great powers over their spheres of influence in Africa, thus preventing the rise of a power that would upset the balance in continental Europe (Arı,2013, p.158-162).

3. The Western Economic Model in Africa

The imperialist era had a price for Africa. Ignored in a sharply competitive environment, the indigenous people could not resist the newly superior West. The economic order based on the transfer of value was only force-centered and implemented in a way that the local population had not experienced before. African peoples, who had their own traditions and a certain social structure, could not accept this new modernization dictated to them. The means of production offered to them as innovation also inherently underestimated the local traditions and changed and destroyed them in a humiliating manner (Tatar, 2000, p.199-201). Issues such as the sharing of surplus value or the fair distribution of the means of production were not taken into account, and the captured people of the region were also considered as a commodity.

Today, Africa is still subject to an unequal development process by Europe and policies are being produced in order not to go beyond being a raw material supplier. According to Galtung, "condition of living" is a scale of conflict of interest. The difference in living conditions brings with it a conflict of interest or incompatibility (Galtung, 2004, p. 27). As the conflict becomes

continuous, the gap increases and unequal development conditions are formed. In fact, the society, whose welfare is low enough to survive, is also the source of cheap raw materials. The new cultural codes of Africa are between being content with what is given or being a party to the conflict. Undoubtedly, this new model of learned behavior is conditional on becoming a tradition (Hayek, 2011, p. 28)

Traditions of colonization in Africa continue even today. The British colonial system is based on a commercial superiority made by taking into account the general level of prices previously determined through local authorities that collect the products of the people (Acemoglu, Robinson,2012,375-404). The exploitation of local people through their administrators is a value transfer model found after slavery was rejected by the peoples of colonial countries due to both economic and ethical concerns. In this new method, the labor force is designed to meet the raw material and semi-finished product needs of the West by producing under minimum conditions, and the resulting reasonable commercial structure is designed to not be exposed to public pressure.

Africa's "foreign" people are also further away but remain in the same position. In the new era, economic sociology has also revealed a social hierarchy with the concept of "Culture Industry" (Kitapçı 2019, p.161). Europe has based the problem of "*Legitimacy*" on the basis that European values are superior and that other beliefs can develop in this way. African peoples are again positioned as a market and labor force in the lowest strata. Blaut argues that the idea of "*Eurocentrism*", a theory of colonialism, is a question of legitimacy and argues that Europe comes from the spirit of expansionism. What is meant by legitimacy is that Europe progresses and modernizes naturally, and that non-Europe is in a more stationary state of immutability in every period. According to this definition, "Rationalism, innovation and imagination are the values attributed to Europe", which are characteristics suitable for the European spirit and unique to the people of the West (Blaut, 2015, p.35).

4. Nile Basin Policies in terms of Türkiye's "Influence" and Example of Renaissance Dam

4.1. Outline of Türkiye's Africa Policy

In the literature of international relations, the Post Westphalian period is based on producing diplomacy by adhering to the condition of sovereignty and equality. However, the principle of sovereignty and equality of nations is ignored by the dominant party states at certain times. It is understood in the decisions of the UN bodies established after the World War II. The UN organs that form the basis of this argument are the Security Council and the Trusteeship

Council. Although the application of the Trusteeship Council ended in 1994, the articles related to the trusteeship, which were previously included in the UN charter, provide sufficient information about the West's view of Africa in the period[3]. From this point of view, while the Trusteeship Council could be perceived as an alternative structure to colonialism all over the world during its establishment, it is claimed that it did not present an egalitarian approach due to the thought that nations could not govern themselves.

It is considered that the common problem of Africa and other regions that are subject to colonial policies is due to the establishment of mutual relations in these regions on the basis of dependence. A state's ability to influence shows the power of the country, but power is also a phenomenon that needs to be transformed into influence ability by using it effectively. In cases where addiction is one-sided, an environment of unrest and conflict occurs. This is perceived as a problem that will undermine the security of nations in the process of globalization. For this reason, all actions that should be taken to protect diplomatic or commercial interests also bring about a security impasse. The suggestion that countries should consider using their hard power as a last option and consider civil, military and normative elements beforehand is more rational. It is also an accepted judgment that the expected ability of an international actor to influence foreign policy depends on being multifaceted and calculating the risks that may occur as much as possible (Bretherton and Vogler, 2005, 212).

NYE defines "Smart Power" for forces that make the best use of Hard Power and Soft Power elements (Nye, 2009, p: 160-163). The biggest problem in international relations is "what states want". This issue has also been an important topic of discussion for the academia (Finnemore, 1996, p:212). There is a clear relationship between demand and potential. For this reason, a state should expand its capacity with other spheres of influence by making analysis on the basis of power in its foreign policy. These spheres of influence may be military alliances, which are the suggestions of a pure realist approach, as well as mutual humanitarian and normative cooperation (Baldwin, 2016, p:136). States with mutual interests, building their relations on the basis of interdependence becomes the projection of both peace and continuity in relations. It is claimed that states that establish relations on the basis of mutual dependency will follow a

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[3] Article 81 of the UN Charter has been regulated with a view to the question of who will assume the administration of the countries that cannot be self-governing and govern themselves "*Article 81- The trusteeship agreement shall in each case include the terms under which the trust territory will be administered and designate the authority which will exercise the administration of the trust territory. Such authority, hereinafter called the administering authority, may be one or more states or the Organization itself.*"

policy aimed at the continuation of their relations with the motive of protecting their own interests relatively more or less (Keohane and Nye, 2001, p. 7.).

After colonialism, the efforts of global powers to play a role in the African problem through commercial colonialism have revealed new security searches for the region. It is observed that Türkiye has established relations based on mutual trust with local people and administrators by using its soft power in its African policy (Fırat, 2007, p:5). The opening of new diplomatic representations in Africa has also been effective in the increase in foreign trade with the region. Türkiye's non-adoption a colonial approach puts countries with African policy interests in a disadvantaged position in the other region. Establishing commercial relations in a region where the social memory is quite vivid is analyzed on the basis of ease of doing business rather than a power-based analysis in the new era.

In the literature, the importance of a suitable investment environment is emphasized within the scope of investing and encouraging investments (Bayraktar, 2013, p:86-88). As a result of an empirical study by Bingöl and Çömez, it has been seen that "*a unit increase in sub-Saharan African countries, which together with Türkiye, provides the fastest increase, provides approximately twice the direct investment inflow compared to Türkiye*". (Bingöl and Çömez, 2019, p:466). Both the local legal structure and the attitude of the decision makers are important in the ease of investment. To this data, it is necessary to add sociological interaction firstly and collective memory secondly. It can be argued that Türkiye has recently had this distinctive political orientation.

It is observed that Türkiye, which does not have a historical burden, produces its policies to become "Smart Power" (Arı, 2019, p: 1-8.). Using its Soft Power-centered humanitarian and normative power in policy making, Türkiye does not hesitate to use Hard Power. In recent years, it has also shown this stance in its peacekeeping missions in Africa and its policy in Libya. It is evaluated by African countries that it is important for Türkiye to stay on a policy ground that will not require any subordinate or unilateral dependency for the success of the policies it has implemented so far.

4.2. Safety of the Nile Basin and Example of Renaissance Dam

In the post-World War II period, the world has evolved into a bipolar system. Efforts were made to establish the new hegemonic order of the world, not only politically but also with its economic models, as an important emphasis of the period on ideologies. *Geopolitical*

strategies[4], built on the basis of realism and neo-liberalism, have acted to achieve political outputs with geopolitical actions on the basis of power and the use of power. The most important output expectation is for the construction of a dominant power whether the geographical area is geographical location and/or trade routes or it is built on social structure. Undoubtedly, the international system, which was structured on the basis of economic dependency, expected the emergence of a hegemonic power and that the market economy would grow and develop further in the peace environment that would emerge in this way (Waltz, 1970, p. 212). On the other hand, "Constructivism", which is called the constructivist approach, argues that there is a code in the structure of the relationship to be established by focusing more on the identities of societies and how they define themselves, and this code consists of rules whose rules are determined in the social environment. While the rule determines the interests of the player, it also rules the interests (Onuf, 1989, p:36-43).

Rules are actually the source of anarchy. Onuf argues that systems without rules produce chaos, not anarchy (Kubalkova ve Onuf, 2015, p: 64). It is claimed that the harmony formed on the basis of social environment and business relations in Türkiye's African policy is developing through historical sympathy. Relationships are also analyzed on a Constructivist basis in the literature, as new rules emerge as a result of the relationship (Eldeen, 2019, p: 37). Türkiye's approach to "African solutions for Africa" for African countries has created a new situation for third-party countries as well. In this context, it can be argued that Türkiye has put forward a revisionist approach to the current status quo. Despite Türkiye's policy, it is inevitable that countries that want to continue their Africa policy with conservative tendencies will object. In the area where anarchy emerged, it can be considered as the sum of conflicts after this stage, and this analysis emerges as a pure security problem.

Türkiye's Africa policy includes a revision against the current status quo and creates a threat perception for third-party countries in terms of both its sphere of influence and market dynamics. One of the prominent functions of the market is the view that society is forced to organize in order for the market to function properly (Gilpin, 2015, p:34). The prosperity of the African society also affects the raw material costs of Europe. Europe shows a concerned approach to possible revisions and change of existing rules. For this reason, the use of the tense

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[4] The most popular of the geopolitical theories are; Friedrich Ratzel's Life Space Theory (Lebensraum), Vidal de La Blanche's Cultural Geography, Admiral Alfred Thayer Mahan's Naval Domination Theory and Halford Mackinder's Land Domination theory.

environment between the people or pressure groups and politicians who take their share of the welfare from the ecosystem established by the West, and the sections that make up the society in general, is seen as an option. This is why the idea that the West has an order within the anarchy of Africa is quite common.

Türkiye's Africa policy presents a multidimensional feature. In the booklet prepared by the Ministry of Foreign Affairs on the occasion of the submission of the 2020 Fiscal Year Budget Draft to the Planning and Budget Committee of the Grand National Assembly of Türkiye, the statement "*Developing our relations and cooperation with the African Continent constitutes one of the basic principles of our multidimensional foreign policy*" explains the main objective of Africa policy for Türkiye[5]. In this context, the Renaissance Dam built in Ethiopia is a very suitable example to analyze the main lines of Turkish foreign policy. Since the dam was built in the upper Nile basin, it can be defined as an energy source that also meets the energy needs of Sudan and Somalia in the region. On the other hand, Egypt, which is worried about the construction of the dam, claims that its interests will be harmed and that the Nile water should be used in accordance with the current status quo.

In the African section of the booklet prepared by the Ministry of Foreign Affairs for the 2021 Fiscal Year Budget Draft, it is explained that relations are getting stronger at an increasing rate, and that Türkiye has increased its population by using its soft power in areas such as the Grand Embassies, humanitarian aid institutions, and the activities of Turkish Airlines (T.R. Ministry of Foreign Affairs, 2020, p:36). In the Renaissance Dam example, we see that besides its soft power in policy implementation, it also uses its hard power by giving military and political support to the Ethiopian government. This situation is stated in the 2022 Fiscal Year Budget Draft, it is especially emphasized with the words "*We also closely follow the developments in Somalia, Sudan, Mali, Guinea and the Sahel region and continue our support for the stability of the region. Our relations with the African Union, of which we are a strategic partner, are getting stronger and institutionalized day by day*" (T.R. Ministry of Foreign Affairs, 2020, p:24).

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[5] "The African continent has a special importance in our efforts to carry our effectiveness in international politics and trade beyond our immediate geography. With its rich natural resources and human capacity, the African Continent is expected to play a more active role in the international system and become an increasingly important actor on the global stage, starting from the second half of the 21st century." T.R. Ministry of Foreign Affairs (2019)

The strategic moves made by Türkiye in East Africa should be evaluated under three headings. As a primary topic, the Red Sea appears as the main conflict area of the region. Although the region is defined as a financial center, the leasing of Suakin Island and the military cooperation agreement with Somalia are trying to create a new status quo by strategically acting with Türkiye for the hegemony of Egypt by other players in the region. Suakin Island has a strategic location in terms of both being on the trade route and being close to the conflict areas in the region. The newly discovered hydrocarbon deposits around Adana and its location on the route of the "One Belt One Road" project increase its importance even more (Alperen, 2018, p:17-38).

The two issues on which Türkiye takes action are our interests in our exclusive economic zone known as the "Blue Homeland" in the public opinion. The definition of the exclusive economic zone, which is a very important security problem in terms of Türkiye's economic interests and sovereign rights, has become a status quo problem due to the differences in the theses of the riparian countries in the region. Attempting to de facto usurp our rights arising from international law through a fait accompli has also made the issue a national security issue. Türkiye's protection of its theses with the exclusive economic zone agreement with Libya has made Libya's internal conflicts a security problem for Türkiye. (Arıdemir and Allı, 2019 p:188-202). Türkiye takes diplomatic and military measures in order to protect its rights in the region and taking into account the interests of the countries in the region.

The third important topic is the issue of water control in the Nile basin. Renaissance dam is vital for 11 countries that are dependent on the Nile river in terms of agricultural irrigation and water needs in the region. Although Ethiopia and Sudan had an advantage until recently, water management seemed to be under the dominance of Egypt (Turhan, 2021, 4-6). It has been quite striking for Egypt, which is the "hydro-sovereign" power of the region, in terms of the returns of the policies pursued by Türkiye. Tandoğan argues that "*One of the reasons why the water conflict cannot be resolved is the balance of power*". He argues that Egypt deals with the water problem from a Realist point of view and in this respect, its military superiority is decisive in its policy (Tandoğan ve Yücel, 2017, p: 109). From this point of view, it can be said that Türkiye, which disrupts the status quo and produces policies at more than one level of analysis of international relations, increases its power in the region through the principle of mutual win-win. It would be a strategic mistake for Egypt to see social relations and the market mechanism as "Low Politic" in the geopolitical approach. For this reason, it is seen that Egypt still defends

the conservative thesis protecting the status quo. Türkiye, on the other hand, draws attention with its revisionist approach to this status quo.

Since disputes over water will completely endanger the use of the resource, conflicts tend to turn into cooperation rather than conflict. It is found in the literature that the disputes arising within the scope of transboundary waters are quite difficult to resolve, but the tendency to cooperate is more prominent in terms of not jeopardizing the use of the source (Aydın, 2019, p: 4). This trend is observed in East African countries such as Egypt, Sudan and Ethiopia. It demonstrated the consultation meetings initiated in 2011 by publishing the "Declaration of Principles" in 2015 (Kibaroğlu, 2018, p: 3). The point reached diplomatically is Egypt's emphasis on its military power in the realist policy-making process. In the development of the balance of power in favor of other riparian countries, the entry of third-party countries into the region plays an important role.

5. Conclusion

We see that Türkiye's Africa policy is multi-dimensional and is formed by using all the factors of power when necessary. Türkiye has shown to its interlocutors that it is a regional power by transforming its power in its region into its ability to influence. It has transformed the use of power into a playful vision with strategic long-term policies in line with the definition of "smart power". It is seen that Turkish foreign policy continues its will to protect its economic and diplomatic interests by complying with the laws of international, global and regional supranational institutions, in a transparent policy ground, with a conciliatory understanding. It is generally accepted that Africa policy is vital to Türkiye's global interests.

Africa has an increasing importance both in terms of population and raw material potential. While the African ecosystem considers foreign influence as a security problem due to the colonial policies implemented so far, the fact that Türkiye produces policies that prioritize social sensitivities on the basis of mutual interests stands out as an important source of prestige. Constructing the policy axis in accordance with international law that respects the sovereign rights of the countries of the region in possible conflicts and building political and military cooperation in accordance with this purpose is another important issue.

Türkiye has close and distant interests in its vision of Africa. It is estimated that the policies to be established based on the point that it is in Türkiye's interest to increase the prosperity of the African peoples will serve the security of the region. The increase in the income of the households in Africa will meet the need for a suitable market for the rapidly increasing Turkish

investments, while also paving the way for the African peoples to turn into a more conflict-free welfare society. It is an argument emphasized in the literature that economic relations arising from interdependence will also accelerate the democratization process.

The revisionist approaches that Türkiye put into practice within the framework of the emerging African understanding are based on mutual interests rather than colonial interests. In the process of creating new policies towards Africa, Türkiye should act in accordance with the principle of historical religion and equality. Contributing to the restructuring of Egypt's conservative approach to the Nile basin in such a way as to cover all the relevant countries of the region is coming to the fore.

Stabilization stands out as a very important topic in terms of the development process of the internal security of African countries in line with Africa policies. If welfare is taken as a conflict-prevention model, it becomes a strategic target for Türkiye and other countries with commercial interests in the region. Conflicts based on sectarian, religious and ethnic origin, which are the main sources of terrorism, are data for the development of Africa as a whole. The peace of Africa in the years to come is not just about African security. It also has the potential to reshape the theories of development that are considered on the north/south axis as a whole. The necessity of taking measures for the welfare of the local people should not be ignored, for which military measures alone will not be sufficient. Policies that recognize and confirm that the well-being of the African people is not only Africa's problem will also bring an environment of peace and tranquility.

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IV. SESSION: TODAY'S INTERNAL SECURITY PHENOMENON – III

MODERATOR: PROF. DR. CENGİZ TORAMAN

CONCEPTS OF ISLAM AND ITS POLITICIZATION IN CENTRAL ASIA

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Abstract

The five Central Asian countries - Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan- face an ongoing terrorist threat from their nationals who have travelled abroad to join groups affiliated to both the Islamic State (IS). In 2019, IS continued to inspire its supporters and sympathisers, including self-radicalised individuals and various home-grown sleeper cells, to mount attacks in and beyond the region. Meanwhile, IS-affiliated Central Asian groups remain active in Syria and Afghanistan and have strengthened their online presence by diversifying their propaganda tactics. In the Syrian conflict zone, where countries have grappled with myriad challenges, including how to deal with the wives and children of detained or deceased IS fighters seeking to return home, Central Asian states have proactively initiated a series of large-scale repatriations of their citizens. While Islamist networks have a limited presence domestically, the region is a significant contributor of foreign fighters to the Middle East theatre. Estimates indicate between 2,000-5,000 Central Asians have migrated to join jihadist groups in Syria and Iraq over the last decade, the majority being Kyrgyz, Tajik and Uzbek nationals. Many have since been killed in battle, while some have relocated to other conflict zones, or returned to their home countries. In Kyrgyzstan, for example, the authorities arrested two Kyrgyz citizens who attempted to enter the country along its border in the south-western Batken region in May 2021. Both had reportedly participated in armed conflict in Syria. State border guards also found Kalashnikov bullets in their possession during the arrests. Instabilities in the Iraq-Syria and Afghanistan conflict theatres continue to provide conditions which IS and AQ-linked groups can exploit. Central Asian militancy will continue to evolve in tandem with the agendas of IS, Al-Qaeda and the Taliban. In this regard, it is unlikely that Central Asian militant groups will divert their activities from the core conflict zones to their home countries in the near future. In their propaganda outreach, Al-Qaeda-linked Central Asian groups in Syria have repeatedly called on their supporters and sympathisers to travel to the

conflict zone and raise funds for militant activities there. These activities are likely to continue, though on a smaller scale going forward. Further, if a dissolution of HTS' jihadist alliance materialises, under the overwhelming political and military pressure exerted by Türkiye, Syria and Russia, some hard-line factions could also regroup under Al-Qaeda's global banner and start launching attacks beyond the Syrian conflict zone. It could also trigger a broader movement of foreign terrorist fighters (FTFs) across Syria and the surrounding regions.

1. Introduction

The five Central Asian countries, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan, face an ongoing terrorist threat from their nationals who have travelled abroad to join groups affiliated to both the Islamic State (IS). In 2019, IS continued to inspire its supporters and sympathisers, including self-radicalised individuals and various home-grown sleeper cells, to mount attacks in and beyond the region. Meanwhile, IS affiliated Central Asian groups remain active in Syria and Afghanistan and have strengthened their online presence by diversifying their propaganda tactics. In the Syrian conflict zone, where countries have grappled with myriad challenges, including how to deal with the wives and children of detained or deceased IS fighters seeking to return home, Central Asian states have proactively initiated a series of large-scale repatriations of their citizens.

Since it was routed from Iraq and Syria, the Islamic State (IS) has enhanced its presence to other parts of the world, including Asia and Africa, by attracting new recruits and exporting its ideology and tactics as it seeks to transition from a pseudo-state to waging a global insurgency on several fronts[1]. In these efforts, IS' core leadership has shifted emphasis towards establishing clandestine sleeper cells and inspiring attacks in regions where it has not been previously active, including Central Asia. IS-claimed attacks in Central Asia in recent years have mostly involved self-radicalised individuals and terrorist sleeper cells conducting unsophisticated attacks, such as ramming vehicles into crowds in public spaces and stabbings[2]. In 2019, pro-IS networks in the region demonstrated a growing capacity to execute high-impact attacks, mainly on hard targets such as military installations. On November 6, 2019, a group of masked militants, at least five of whom were armed with automatic rifles, attacked a border outpost in Tajikistan's western Rudaki district, along its border with Uzbekistan. The attack left at least 17 people dead, including 15 militants, a border guard and a police officer. Subsequent reports indicated a further five security officers were killed. Tajik authorities said an IS cell comprising nine men, 11 women, and 13 children (aged between 4 and 15 years), were involved, including two brothers. Police have thus far detained at least five suspects. 500 Media reports also indicated

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[1] Parker, Claire, "The Islamic State is far from defeated. Here's what you need to know about its affiliate in Afghanistan," *The Washington Post,* August 20, 2019, https://www.washingtonpost.com/world/2019/08/19/islamic-state-is-far-defeated-heres-what-you-need-know- about-its-affiliate-afghanistan/.

[2] Before 2018, IS did not claim any attacks in Central Asia, given the region was not a high priority for the group's central leadership. Instead, IS' propaganda efforts in the region were primarily focused on recruiting Central Asian fighters to bolster its ranks in the Syrian-Iraqi conflict theatre, where its networks faced an onslaught from coalition forces. The recent IS-inspired attacks in Central Asia have been confined to Tajikistan. Socio-economic issues and a fragile security environment in the country have provided fertile ground for extremist groups in their outreach efforts. Hundreds of Tajik nationals are also known to have travelled to join IS in the Middle East theatre.

one of the attackers previously served as a soldier at the outpost, and likely had inside knowledge of the facility and its surroundings. The attackers may have targeted the security checkpoint to seize weapons, in order to stage future attacks on other prominent targets in Tajikistan.

According to reports, several of the perpetrators had also lived in the same neighborhood in the northern city of Istaravshan, which highlights IS' exploitation of kinship and social ties among its followers to instigate them to violence. Instances of kinship-based terrorism have spiked around the world as well as in Tajikistan. Previously in July 2018, individuals from common family and friendship circles, participated in an IS-inspired attack on foreign cyclists in the country's Danghara district. In May 2019, a group of IS-linked prisoners, armed with knives, also stabbed to death three prison guards and five inmates during a riot at a high-security prison in the Vahdat district of Tajikistan. Other prisoners were taken hostage, while the jail's medical facilities were also fired upon during the melee. Security officials said 24 members of an IS-linked cell were killed and a further 25 arrested in a subsequent reprisal operation, which restored order. IS claimed the attack via its online *Al-Naba* publication, characterising the attackers as "soldiers of the caliphate". By claiming such attacks, which demonstrate the group's apparent potency in infiltrating high security facilities such as prisons, IS seeks to reap publicity and recruitment advantages. Overall, however, Islamist terrorist groups have a limited foothold within most parts of Central Asia, despite seeking to increase their ideological and operational presence[3]. Yet as IS struggles to maintain its relevance in the post-caliphate era, it could seek to instigate more attacks on both soft and hard targets in the region.

While Islamist networks have a limited presence domestically, the region is a significant contributor of foreign fighters to the Middle East theatre. Estimates indicate between 2,000-5,000 Central Asians have migrated to join jihadist groups in Syria and Iraq over the last decade, the majority being Kyrgyz, Tajik and Uzbek nationals[4]. Many have since been killed in battle, while some have relocated to other conflict zones, or returned to their home countries. In Kyrgyzstan, for example, the authorities arrested two Kyrgyz citizens who attempted to enter

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[3] Since the early 2000s, Central Asian countries designated countering terrorism and extremism as one of their top security priorities in response to earlier Islamist inspired episodes of violence, and adopted a 'zero-tolerance approach' in their military, security and law-enforcement responses against the threat. These efforts have significantly curbed the infiltration of terrorist groups in the region.

[4] Studies suggest between 80 to 90 percent of the Kyrgyz, Tajik and Uzbek nationals who travelled to the Middle East to join IS were radicalised and recruited while working as foreign labourers in Russia. See section on Diaspora Radicalisation by IS.

the country along its border in the south-western Batken region in May 2021. 505 Both had reportedly participated in armed conflict in Syria. State border guards also found Kalashnikov bullets in their possession during the arrests.

In Afghanistan, the Islamic State of Khorasan (ISK) remains resilient, despite suffering a series of setbacks following intense fighting with the Afghan military, the U.S. led coalition forces, and the Taliban, including in its major stronghold in eastern *Nangarhar* province[5]. The group's resilience is due partly to its ability to forge alliances with other local and regional militant networks.

In this regard, reports indicate that Sayvaly Shafiev (a.k.a. Mauaviya or Jalolobodi), a Tajik national, has emerged in 2019 as leader of the main Central Asian unit of 200 fighters within the ISK umbrella. Shafiev is also believed to be a member of the ISK executive council, or *shura,* and is known to have recruited other Tajik fighters for ISK as well as taking part in online fundraising activities[6].

IS also continues to radicalize and conduct recruitment operations among the Central Asian diaspora migrant communities abroad, including in Russia, where an estimated 5 million Central Asians reside, many as migrant workers, as well as in Türkiye and parts of Western Europe. In March 2019, a Swedish court sentenced David Idrisson, a 46-year old Uzbek national who had been living legally in Sweden since 2008, to seven years in prison for plotting to carry out a bomb attack in Stockholm, after being radicalized by IS propaganda on online social networks. Investigations revealed that Idrisson had joined an IS-channel on Telegram and gained access to bomb-making manuals. Another Uzbek, Bakhtiyor Umarov, was also convicted in the same case, of financing IS activities and received a six-month jail sentence, although he was cleared of charges of plotting an attack. Separately on 11 February 2019, a court in Russia also jailed Bakhtiyor Makhmudov and Zafarjon Rakhmatov, both Tajik citizens, for 15 years, for plotting to blow up a train and a shopping mall in Moscow. The cell reportedly operated under the instructions of Tojiddin Nazarov (Abu Osama Noraki), a leader of IS' Tajik unit in Syria. In comparison to the recent past, however, such incidents are on the decline. Between 2016-2017, there was an unprecedented surge in terrorist attacks perpetrated by

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[5] Seldin, Jeff. "Islamic State Staggers in Afghanistan, but Survives," *VOA*, November 21, 2019, https://www.voanews.com/south-central-asia/islamic-state-staggers-afghanistan-survives.
[6] United Nations Security Council, *"Report of the Analytical Support and Sanctions Monitoring Team,"* (July 15, 2019), p. 15, https: // www.securitycouncilreport.org/atf/cf/%7B65B   FCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2019_570.pdf.

Central Asians across several major cities in Europe, Asia and North America, including Bishkek, Istanbul, Stockholm, Saint Petersburg and New York. These attacks mostly involved self-radicalised diaspora members and Central Asian IS operatives formerly based in Syria. Given that many in the Central Asian diaspora feel a sense of marginalisation, social exclusion, and alienation in their host countries, terrorist groups have exploited these vulnerabilities to radicalise some individuals through their online propaganda.

2. Al-Qaeda-linked Central Asian groups in Syria and Afghanistan

Although Central Asian militant groups aligned with Al-Qaeda have not carried out an attack in the region since a suicide car bomb attack on the Chinese embassy in Kyrgyzstan in August 2016, they remain operationally more capable than their IS-linked counterparts in the Middle East and Afghanistan. In Syria, two Central Asian units – Katibat al Tawhid wal Jihad (KTJ) and Katibat Imam al Bukhari (KIB) – have been fighting under the umbrella of the Al-Qaeda-linked Hayat Tahrir al-Sham (HTS)[7]. In early 2019, HTS seized control of Idlib, a province located in northwest Syria, in a series of dramatic advances and established the prototype of a caliphate over an estimated three million people. While more recently, HTS has come under severe military pressure from the Assad regime and its ally Russia in Syria, both KTJ and KIB have played a prominent role in defending HTS' positions in Idlib, as well as in provinces such as Hama and Latakia. KTJ is reported to have up to 500 fighters, comprising mainly ethnic Uzbeks[8]. While part of the HTS jihadist alliance, the group publicly renewed its oath of allegiance to Al- Qaeda in January 2019[9]. In anticipation of a possible government offensive into Idlib, HTS has also developed several highly-trained 'commando' units within jihadist factions fighting under its hierarchy, including within KTJ and KIB. For this purpose, it has hired Malhama Tactical, a private jihadist mercenary group currently led by a Russian-born militant, "Ali Shishani".

Leadership Transition in Katibat al Tawhid wal Jihad (KTJ) On 12 April 2019, KTJ announced the resignation of its founding leader, Sirojiddin Mukhtarov, a Kyrgyzstan national also known as "Abu Saloh". While the group said in a statement that Abu Saloh had relinquished the

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[7] With up to 15,000 fighters in its ranks, HTS is now the most powerful jihadist coalition in Syria and has perhaps the largest concentration of armed jihadists ever assembled in one place. Like IS, HTS seeks to topple the Syrian regime and establish an Islamic state.

[8] United Nations Security Council, "Report of the Analytical Support and Sanctions Monitoring Team."

[9] This highlights that militant units within HTS maintain some degree of independence, likely due to ideological affinity or tactical considerations. It also reveals that despite the al Nusra Front, HTS' predecessor, announcing it has cut off ties with Al- Qaeda, personal and ideological ties between the two groups persist.

position on his own accord to successor "Abdul Aziz", his resignation has left many observers puzzled, given that it is a rare phenomenon amongst jihadist networks. One explanation mooted is Abu Saloh's wish to escape impending surgical airstrikes by Russia on KTJ's sanctuaries in Idlib, as a precursor to his ultimately going into hiding. Abu Saloh has been on Russia's most wanted list of terrorists since the 2017 Saint Petersburg Metro bombing, which he allegedly orchestrated. Despite his resignation, Abu Saloh remains a hard-line supporter of Al-Qaeda and the most influential Central Asian jihadist ideologue, particularly in the online domain. Given that he was largely credited as the mastermind behind several high profile and sophisticated attacks previously attributed to the group, it is unclear how the leadership transition will impact its operational capabilities and priorities going forward.

KTJ's Shifting Propaganda Tactics since December 2018, KTJ's followers have created several Instagram pages, and gradually increased their propaganda activities on social media. This is believed to be the group's first foray onto Instagram - it previously, produced and disseminated audio and video propaganda on its YouTube Al-channels and blogging site, written in Uzbek. By shifting onto Instagram, KTJ may be attempting to reach out to a more youthful demographic, including teenagers, as it seeks to expand its recruitment operations, particularly given Instagram is the most popular social-media platform among Central Asian youth. KTJ has also shifted much of its propaganda efforts onto encrypted messaging tools, including Telegram, making it more challenging for security agencies monitoring their activities. *Kateebat Imam Al-Bukhari (KIB) - Anti- Kurdish Narrative* Following the death of its founder, Akmal Dzhurabaev, in 2017, Ubaydullo Muradoluogly, a Tajik national also known as "Abu Yusuf Muhojir", assumed leadership of KIB, another Al-Qaeda affiliated Central Asian group whose main operations are in Syria. The group's military commander, "Said Abu Ayub", has also appeared in a number of online propaganda videos, although very little is known about him. KIB also maintains a division of nearly 50 fighters inside Afghanistan, where it fights alongside the Taliban against Afghan security forces. Both of KIB's Syrian and Afghan branches pledged allegiance to the Taliban, a move likely designed to accord itself more legitimacy to attract more Central Asian recruits. On 18 October 2019, KIB leader Abu Yusuf Muhojir also released a statement on the group's Telegram channel, praising Türkiye's recent operation against Kurdish forces in northern Syria, which he described as liberating Syrian Sunni Muslims from "Kurdish occupation and oppression". The comments represent an apparent shift in stance, given that the group's previous propaganda mainly targeted the Assad regime, Iran and Russia, which have conducted several offensives against jihadist insurgent

groups in Syria. In stoking anti- Kurdish sentiments, KIB likely considers the buffer zones created by Türkiye, subsequent to its brief incursion into Syria in October 2019, a potential safe haven for the group, particularly in the event Idlib falls to the Syrian regime and the HTS alliance collapses.

Other AQ-linked groups Aside from KIB, other Al-Qaeda-linked Central Asian groups based in Afghanistan, including the Islamic Jihad Union (IJU), the Islamic Movement of Uzbekistan (IMU), and Jamaat Ansarullah (JA), also operate under the banner of the Taliban and rely on it for sanctuary, protection, training and strategic oversight. In early 2019, Central Asian fighters from KIB, IJU and the Turkestan Islamic Party (TIP) actively participated in the Taliban's annual spring offensive against government forces. Meanwhile the IMU has splintered, following the Taliban's decision to execute the group's leader in 2015 as punishment for declaring its affiliation to IS, and its fighters are now believed to be dispersed around Afghanistan. The Jamaat Ansarullah, which is headed by Asliddin Davlatov, is reported to have up to 30 militants, mainly comprising Tajiks. On 27 April 2019, Afghan security forces also killed three JA fighters and wounded four others in Badakhshan Province, where the group has its base of operations.

3. Responses

Anti-Terror Operations In 2019, Central Asian states have scaled up their responses against terrorist and extremist activities. There have been dozens of arrests of terrorists and several attacks have also been disrupted. In May 2019, prison authorities in Kyrgyzstan revealed that the number of convictions in the country for terrorism and extremist activities increased five-fold from 100 to 550, while the number of prisoners held in closed correctional facilities went up three times in the past seven years.515 In Tajikistan, two terrorist plots were disrupted, and 97 terrorist suspects arrested by security forces between January and July 2019.516 Governments have also taken steps to counter extremist activity online. In Kazakhstan, the Ministry of Internal Affairs (MIA) identified and blocked nearly 4,700 websites with extremist content since early 2019, while in July, Uzbek authorities banned over 40 websites, Facebook pages, YouTube and the Telegram channels in the Uzbek language deemed to carry extremist content.517 *Central Asian Approach to IS Returnees* Since the start of 2019, three Central Asian states – Kazakhstan, Uzbekistan, and Tajikistan – have separately brought back a total of 899 nationals, including 595 Kazakhs, 220 Uzbeks and 84 Tajiks from the Iraqi- Syria conflict zone. Most returnees were women and children. In the case of Tajikistan, the state only repatriated

children[10]. Further, the authorities in Uzbekistan and Tajikistan have publicly committed to bringing back the remaining groups of 171 Uzbek and 575 Tajik citizens still residing in Syria. However, Türkiye's October 2019 offensives in northern Syria against Kurdish-led forces have complicated these plans.519 Kyrgyz officials have also been in discussions with their Iraqi counterparts to possibly evacuate 55 women and 78 minors. For its part, the Turkmenistan government has previously denied media reports of the presence of 360 Turkmens in the Syria conflict.

Uzbekistan, Kazakhstan and Tajikistan have adopted similar approaches in dealing with their returnee nationals. Each has framed these efforts, mainly involving women and child returnees, as a "humanitarian rescue operation". In its public messaging, the governments have highlighted the plight of women and children left in limbo in overcrowded makeshift camps and detention facilities in Syria[11]. After being repatriated by the authorities, the returnees were put through a short 'adaptation' process, received medical treatment and psychological therapy, legal and material support and religious counseling. They were subsequently reintegrated into their respective communities.

In contrast, repatriated adult males have largely faced immediate arrest, prosecution, and imprisonment. Some women returnees, regarded as a security threat, have also been convicted. For instance, in Kazakhstan, 55 repatriated adult returnees, including 12 women, were sentenced to imprisonment. Although repatriated women were not imprisoned in Uzbekistan, court restrictions have been placed on their freedom of movement for up to five years, depending on their roles and lengths of stay in Syria. In all three countries, the process of re-socialization is expected to last for years under close monitoring by local authorities and law enforcement[12].

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[10] Abdirasulova, Aziza and Kabak, Dmitry. "Rabota s vozvrashentsami iz Sirii i Iraka: opyt Kazaxstana," ('Work with returnees from Syria and Iraq: Kazakhstan experience'), *Prevention,* http: // prevention.kg/?p=5141; "UN Secretary General said that in Syria 2 thousand citizens of CIS countries detained in the ranks of ISIS," *ASIA-Plus*, August 13, 2019, https://www.asiaplus.tj/en/news/tajikistan/security/2 0190808/un-secretary-general-said-that-in-syria-2- thousand-citizens-of-cis-countries-detained-in-the-ranks- of-isis; "Sixty four children delivered from Baghdad to Tashkent," *UzDaily*, October 10, 2019, https://www.uzdaily.com/en/post/52345.

[11] The involvement of women and children in jihadist networks has an inter-generational impact. Women who adhere to IS ideology may seek to radicalise their children or others. Child recruits ensure a militant group's long-term operational and ideological viability, given they are the potential fighters and leaders of tomorrow.

[12] Although, in these three countries, public sentiment is welcoming of children, there is some reported skepticism towards women returnees. Stigmatizing attitudes towards women may leave them vulnerable to re-radicalization. As such, the states need to work closely with various local community and religious institutions to enhance reintegration efforts directed at women returnees.

4. Outlook

Instabilities in the Iraq-Syria and Afghanistan conflict theatres continue to provide conditions which IS and AQ-linked groups can exploit. Central Asian militancy will continue to evolve in tandem with the agendas of IS, Al-Qaeda and the Taliban. In this regard, it is unlikely that Central Asian militant groups will divert their activities from the core conflict zones to their home countries in the near future. In their propaganda outreach, Al-Qaeda linked Central Asian groups in Syria have repeatedly called on their supporters and sympathisers to travel to the conflict zone and raise funds for militant activities there. These activities are likely to continue, though on a smaller scale going forward. Further, if a dissolution of HTS' jihadist alliance materialises, under the overwhelming political and military pressure exerted by Türkiye, Syria and Russia, some hard-line factions could also regroup under Al-Qaeda's global banner and start launching attacks beyond the Syrian conflict zone. It could also trigger a broader movement of foreign terrorist fighters (FTFs) across Syria and the surrounding regions. While ISK in Afghanistan has attracted fighters from Central Asia, its activities remain centred on ensuring its survival, following its recent operational setbacks. However, with IS Central calling for revenge attacks for the lost caliphate, it could still seek to inspire more attacks in the Central Asian region, involving self-radicalised individuals, family networks and sleeper cells. The recurrent prison uprisings in Tajikistan have also highlighted that radicalisation within the penitentiary system is a growing concern for the authorities. The incidents have put the efficacy of the country's prison security under the spotlight, highlighting the need for effective de-radicalisation programmes in prisons. Both IS and Al-Qaeda linked groups will likely also continue to attempt to exploit vulnerabilities within the Central Asian diasporas abroad. Central Asian governments will need to develop long-term strategies to address the drivers of radicalisation and recruitment among their diaspora and migrant communities abroad. This should include cross-border collaboration with countries hosting significant Central Asian diasporas. Moreover, with militant groups appearing to expand their outreach efforts online, state responses need to go beyond banning various websites, to incorporate effective counter-narratives against online extremist propaganda.

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WHY THE CHINESE DOMESTIC GOVERNANCE AND INTERNAL SECURITY MATTER IN THE PRACTICE OF CHINA'S GLOBAL ECONOMIC DIPLOMACY IN ITS EXPANSIVE FOREIGN POLICY

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Abstract

For the Chinese political leadership, the focus on economic diplomacy is a cornerstone of its global strategy of engagement with the rest of the world. As much of the focus of economic diplomacy has been directed to the external dimension, the domestic domain is either ignored or minimized in the academic discourse on the international relations of China. This is unfortunate as domestic factors such as governance and security can provide cogent explanations on the Chinese penchant for economic progress, including through the kaleidoscopic lens of culture and communication.

As such, this research paper will focus on domestic explanations of the country's external focus of economic diplomacy under the leadership of Chinese President Xi Jinping in terms of governance and security. The social contract premised on political trust between the Chinese government and its people will also be examined, and so will the focus on the impact of homegrown intercultural communication on Chinese economic engagement with the rest of the world. The COVID factor, in which China is perceived to play the role of a good international citizen, will also be analyzed.

This paper will make the case that without incorporating the domestic sphere, China's practice of economic diplomacy in its foreign policy cannot be fully understood from its conceptualization to implementation. Treating economic diplomacy as an intermestic issue is a crucial determinant to its global orientation with a domestic inclination. Through the use of a myriad of primary and secondary sources and adopting the exploratory method of research, this paper seeks to make a useful contribution to the existing literature on China's far-reaching global economic diplomacy.

Keywords: China, Domestic Governance, Internal Security, Global Economic Diplomacy, Expansive Foreign Policy.

1. Introduction

One of the most pressing concerns of the twenty-first century is whether China's expanding economy and global interconnectedness translate into stronger geopolitical impact. Policymakers, academics, businesses, and a host of other individuals all around the world, including in China, await a credible response with trepidation. To be sure, there is a strong dispute in opinions regarding the long-term effects of China's growing global influence. While China's authorities insist that their country is still dedicated to the goal of peaceful development, many other countries, especially in the regional neighborhood, regard China as an assertive actor looking to use its size and prosperity to increase its geostrategic influence. A gulf is therefore growing on how best to comprehend and react to China. At its root, this acute discrepancy reflects a set of contradictions about the relationship between China's domestic governance and internal security and Chinese power and influence abroad.[1]

Chinese authorities have long worked to reassure their neighbors, the United States, and their own public that the country's principal foreign policy goals remain in the service of domestic economic development by making it an utmost priority on a constant basis. Since 2013, fresh, high-profile, and proactive economic initiatives under the direction of Chinese President Xi Jinping have been promoted in the country's expansive foreign policy with a view to promote regional and global prosperity and peace. But this framework for peaceful development contrasts sharply with the geo-economic theory favored by public intellectuals outside of China who view the country as a mercantilist power whereby the power center in Beijing have instituted authoritarian state controls – underpinned by communist ideology – that manipulate economic institutions to enhance the country's national interest.[2]

But neither of these frameworks adequately reflects the reality of China's changing role in the world. To this end, this paper makes the case that despite China's overwhelming economic influence and interconnectedness with the rest of the world, it is unlikely that the liberalization or democratization of the country's domestic governance and internal security apparatus will materialize. If anything, the domestic politics is an enabler of economic diplomacy in the country's expansive foreign policy. China's model of peaceful development will remain a mainstay of its politico-economic aspirations but will not hesitate to flex its muscles with its

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[1] Nye Jr, J. S. (2020). Power and interdependence with China. *The Washington Quarterly*, *43* (1), 7-21.

[2] Lum, T. G., Morrison, W. M., & Vaughn, B. (2019). *China's" soft Power" in Southeast Asia*. Congressional Research Service.

ever-expanding defense forces coupled with advanced weaponry should its national interests be threatened both domestically and abroad. China will neither let itself 'balkanize' nor let any country seize territory it lays claim to, such as in the South China Sea.

To be sure, Xi has progressively attempted to relate China's economic growth and development to local, national, and global security and stability.[3] As such, the time is ripe to encourage more discourse on the politico-economic discourse of China's increasing global role that also takes into account the cultural dimension that is more Asian-(Chinese)-oriented. It is also worthwhile to consider institutional norms and historical analysis to interpret and reflect on contemporary Chinese internationalism.

2. Conflicting Opinions on The Relationship Between China's Politics and The Economy

Over the past several decades, China's economic development strategy and worldwide influence have undergone significant changes. China's economy has been expanding at an average rate of over 10% each year since the reform and opening up of the country, thanks to the foresightedness of paramount leader Deng Xiaoping in the 1970s. Upon gaining admission into the World Trade Organization (WTO) in 2001, China started to play a more significant, distinctive, and prominent role in the global economy as it grew to become the world's biggest trading country and contributes to the flow of international and outbound foreign direct investment.[4] While China's economy boomed, its domestic governance of being led by a single party politically ala communism stood unchanged. For the Chinese political elites, a one-party communist leadership can coexist or go hand in hand with a global economy; hence the dictum that China's ideology should be described as 'socialism with Chinese characteristics.'

The link between China's desire of wealth and its pursuit of influence on the international scene is a source of escalating dispute and controversy. Uncertainty still exists regarding whether and how the country's expanding global economic links have increased its leverage or strength, or even generated new vulnerabilities and interdependencies. According to some well-known Chinese experts in the US and UK, China is a fragile or partial power, and have made predictions on when China will eventually rule the globe. Seeking therefore to refute this

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[3] Guo, J., Lai, X., Lu, C., & Cao, S. (2022). What has caused China's economic growth?. *Economic Systems*, 100982.

[4] Cheng, C. Y. (2019). China's economic development: Growth and structural change. Routledge.

erroneous narrative, the China has begun to practice economic diplomacy in its foreign policy. Particularly as China advances high-profile projects like the Belt and Road Initiative and the Asian Infrastructure Investment Bank (AIIB), it would be remiss not to mention the intricate connection between the political and economic impact of China's foreign policy, and how development can overlap with security challenges via the prism of economic diplomacy.[5]

3. Rethinking China's Conventional Politico-Economic Paradigms

Overall, the geoeconomics and peaceful development paradigms present starkly divergent views of China's worldwide influence, but neither captures the reciprocal and dynamic interactions between the economic and political facets of China's global influence. The shortcomings of such frameworks are highlighted by a surgical examination of China's connections with other countries, which reveals complex and contradicting patterns of bilateral and multilateral engagement on different fronts.

Differing patterns of economic, political, and geostrategic links are encapsulated in China's relations with its neighbors, with the United States and Europe, and with developing countries and resource-rich regions. These distinctions importantly reveal the oversimplified, one-sided expectations and assumptions of prevailing ideologies. Therefore, new modes of thinking are required by moving beyond conventional conceptual narratives to better understand China's role in international affairs.[6]

4. Perception of China as A Good International Citizen vis-à-vis Covid-19

Chinese President Xi Jinping considers the virus curbs a good thing. His zero-tolerance policy for Covid has come to represent his efforts to bolster his power over China and the country's Communist Party (CCP). Whereas the majority of countries have accepted the need to live with Covid, thus moving from looking at it as a pandemic to embrace it as an endemic, Xi has insisted on harsh measures meant to eradicate the virus, hence China is yet to really open up its borders to the world.

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[5] Fang, K. (2022). Praise from the International Community: How China Uses Foreign Experts to Legitimize Authoritarian Rule. *The China Journal*, *87*(1), 72-91.

[6] Jones, L. (2019). Theorizing foreign and security policy in an era of state transformation: A new framework and case study of China. *Journal of Global Security Studies*, *4*(4), 579-597.

Xi's strategy has however stifled growth in the second-largest economy in the world, which was already battling a debt-ridden real estate market and rising youth unemployment. But Xi has stuck to his guns, calling zero-Covid China's most economic and effective course of action and has persisted with policies that have increased the state's hold over the 1.4 billion citizens of the country.[7]

China's role as a good international citizen was necessary to preserve its national interest as Covid had besmirched its image and reputation in the eyes of countries around the world. For instance, China provided to countries in the developing world a whole host of supplies, including masks and vaccines in what became known as China practicing mask diplomacy and vaccine diplomacy in its foreign policy.

5. Conclusion

China will presumably continue to prioritize economic development in both its domestic and foreign policies, but progress will continue to be met with obstacles of external social and political influences. Even as China continues to practice a more global economic diplomacy in its expansive foreign policy, its domestic governance matters as the CCP wants to preserve its communist-leaning decision-making mechanism. With Xi removing term limits, stuffing the Politburo with his loyalists, and continues with efforts to crack down on corruption, the communist-socialist politico-economic narrative will persist, that is, China will stick to being politically communist but economically socialist in the 21st century.

By having a strong core at the heart of its leadership, China is also able to preserve its internal security by cracking down on extremist, terrorist, and separatist groups. This, in turn, is vital for the country to effectively conduct its economic diplomacy which engenders domestic benefits to the Chinese people. Ensuring that China also has a handle on international public opinion in the technological age, it has gone on the offensive with Chinese cybertroopers on social media and in person, the practice of wolf warrior coercive diplomacy by Chinese diplomats, which began during the Xi Jinping administration.

Going forward, on the intellectual front, it is imperative to look for fresh innovative approaches to better comprehend China's politico-economic role in the world as understanding China is

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[7] Lee, S. T. (2021). Vaccine diplomacy: nation branding and China's COVID-19 soft power play. *Place Branding and Public Diplomacy*, 1-15.

driven by an intermestic (nexus between the domestic and international) narrative. As the epicenter of influence continues to shift from the West to Asia, China being the most prominent, it is incumbent on all of us Chinese watchers and enthusiasts to look beyond Western liberal narratives to make sense of China.

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PRINCIPLES AND PROCEDURES OF THE ORGANIZATION FOR PUBLIC ORDER AND INTERNAL SECURITY IN INDIA: THE CASE OF KASHMIR

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Abstract

We are grateful that ASSAM Islamic Union Congress is seized of the important matters relating to the public order and security which has been recognized over the years as an essential condition for the enjoyment of human rights. In many parts of the world, the first requirement is to promote and protect their right to life, which is being denied not because of deep seated structural problems but due to violence, encouraged or condoned by the states.

Public order and internal security are the indispensable conditions for civil rule and, thereby leads to the international administration of a country. But in conducting public policy for the security of its citizenry, the police and security forces cannot use lethal force which violates the internationally recognized boundaries and norms.

Amnesty International has defined it the best when it says that "We all need safety from violence and terrorism, but no government should sacrifice people's human rights in the name of national security. Amnesty International helps expose and end national security policies that violate human rights."

It is axiomatic that peace, safety, and security define the basic condition for the respect for civil and political rights and promotion of economic, social, and cultural rights. In an environment of turmoil, tribulations, killings, massacres, the very concept of human rights becomes a mockery. We have to address the root causes of the violations of human rights which, inter-alia, result from armed conflicts in many parts of the world.

The South Asian region furnishes undeniable evidence of how respect for human rights cannot be achieved without first creating conditions for internal security, public order, and safety. The people of Jammu & Kashmir were pledged by no less an authority than the UN Security Council to exercise their right to decide their future under conditions free from coercion and intimidation.

Even from a purely economic perspective, if not from concern over peace, security, genuine democracy and observance of human rights, the restoration of normalcy in South Asia deserves to be a policy goal for the world's only superpower – United States. The Kashmir dispute being the key cause of conflict, its marginalisation can hardly serve long-term interests of the world powers.

All of these elements have turned Kashmir into the most dangerous place on the planet, according to President Bill Clinton and his national security advisers. It is Kashmir that could trigger nuclear volleys between India and Pakistan and bring forth a nuclear winter threatening to all mankind.

Trade and commercial deals are important but not at the expense of the high moral ground American exceptionalism has always claimed. Moral values and human rights are the very essence of even being called civilized.

India cannot sweep all this under the galicha. The truth is too painfully obvious. Isn't it time that world powers ask the people what they really want? Perhaps that would force the parties to actually deal with what is at the heart of their differences, the aspirations of the people.

The global involvement in Kashmir will not only end the bloodshed and suffering in Kashmir, but also will have a direct positive effect on international security, peace and stability by eliminating regional fighting, national tensions, and the risk of a nuclear war between India and Pakistan. It is in everyone's interest to settle the Kashmir conflict peacefully without further delay. We don't want to see the horrific nightly scenes from Kosovo and Bosnia replaced by an even greater catastrophe in Kashmir.

We call upon the international community to exert pressure on Indian authorities to agree to the exercise of the recognized right of self-determination of the people of Jammu & Kashmir under the auspices of the United Nations. This alone will ensure peace, public order and security in the region.

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Dr. Piet Hein van Kempen, Chair of the Department of Criminal Law at Radboud University Nijmegen, Netherlands wrote, "An international order which can effectively help to secure human rights has been considered imperative for the prevention of war and thus for international security. In line with this view, Article 55 of the 1945 United Nations Charter articulates that universal respect for and observance of human rights and fundamental freedoms for all with no distinction as to race, sex, language or religion are conditions of stability and well-being that are necessary for peaceful and friendly relations among nations."

It has always been a challenge to exchange views on public order, safety and security and the summoning into being a peaceful and prosperous world. The intellectual debate is great, but the stakes are even greater. Men and women have yearned for peace, security and prosperity for ages. President Abraham Lincoln in his second inaugural address declared, "Fondly do we hope, fervently do we pray, that this mighty scourge of war may speedily pass away." Winston Churchill brilliantly recognized that it is invariably better to jaw-jaw than to war-war.

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Public order, internal security, and peace in Kashmir rides on two seemingly conflicting realities. Kashmir will be chronically convulsed until its sovereignty is determined in accord with the wishes of the Kashmiri people. A plebiscite conducted by the United Nations is one option on that score. Indeed, United Nations Security Council resolutions contemplate that method of self-determination. Contrary to what some have said, Kashmir is not a territorial dispute between Pakistan and India. And it is not a dispute provoked by foreign infiltrators or extremists. It is not a struggle between theocracy and secularism. Kashmir is every bit as much about self-determination as was East Timor or Southern Sudan in 1999 and 2011 respectively.

The second reality is that India holds 99% or more of the political and military cards in Kashmir. No outside influence has exerted more than trivial direct influence over India's Kashmir rule or diplomacy. For more than 75 years, the United Nations Security Council has not lifted a finger to enforce its plebiscite resolutions concerning Kashmir. Neither the United States nor NATO would risk a single soldier for Kashmiri self-determination. India's superpower status in South Asia and global stature explains why progress towards peace in Kashmir has been zero for more than 75 years. All the periodic dancing and jousting between India and Pakistan have been at best sound and fury signifying nothing.

Speaking at the International Kashmir Conference in New York in 2015, Ramsey Clark, former United States Attorney General from 1967-69 under President Lyndon B. Johnson, began by describing the state of Jammu and Kashmir as 'a place of beauty caught in geography and history that makes the possibility of general peace and prosperity a challenge, not only for its people but also for its neighbors.' If peace could be achieved, Kashmir could be a symbol for the world, demonstrating the possibility of peace existing in the midst of beauty.' But, he cautioned, how does a world 'full of ambition and too many hands possessing the capacity for total destruction' achieve such a goal? 'We don't like to think about it but we still spend billions of dollars on how to kill millions of people where hunger and sickness could be eradicated. We know better but we obscure our knowledge, because the truth hurts, it hurts to know the existence of poverty and suffering'.

Even from a purely economic perspective, if not from concern over peace, security, genuine democracy and observance of human rights, the restoration of normalcy in South Asia deserves to be a policy goal for the world's only superpower – United States. The Kashmir dispute being the key cause of conflict, its marginalisation can hardly serve long-term interests of the world powers.

The United States, however, does not invariably exalt economic security over national security or human rights. Section 907 of the Freedom Support Act punishes Azerbaijan over Ngorno-Karabakh although the former brims with oil and Armenia have none. Both Iran and Libya were subject to oil and gas economic sanctions although the result hikes the price of energy. Ditto for America's sanctions against Burma and Sudan and their blossoming oil and gas industries.

National security is an entirely different question. Here is where the United States has been aroused from its ordinary deep slumber and indifference towards South Asia. Both India and Pakistan possess nuclear capabilities, and undoubtedly nuclear warheads. Both have reliable delivery vehicles in the guise of short or medium-range missiles. Both are racing forward to upgrade their nuclear and missile arsenals. India's defense budget soared by almost 30 percent. Neither India nor Pakistan have signed the Nuclear Non-Proliferation Treaty or the Comprehensive Test Ban Treaty. Neither is likely to sign the fissile materials/cut-off treaty.

It is nothing less than astounding those intelligent men who are charged with the responsibility of leading a country cannot comprehend that spending billions of dollars to maintain possession of a very small disputed territory to its north with 900,000 troops at the expense of their public order, internal security and national quality of life makes any sense at all. While millions of Indians don't even have a toilet (As Prime Minister Modi said, "My real thought is to first have toilets and then temples") and live in squalor in cardboard shelters, the government feeds off their meager incomes in order to possess and control a nation that itself is kept in a dire state economically and cannot possibly pay any return on such an investment.

By the most recent count provided by local media, over 100,000 innocent people have been killed and thousands injured by indiscriminate firing by Indian security forces in the valley of Kashmir when hundreds of thousands of people were protesting peacefully on the streets in various towns of the Valley of Kashmir. This is cold-blooded murder. Kashmir which is known as the paradise has been turned into hell by the occupation forces. And the irony is that these forces are immune from any prosecution under special draconian laws like the Armed Forces Special Powers Act (AFSPA), Unlawful Activity Prevention Act (UAPA), etc.

India justifies its action in Kashmir by claiming its territorial rights over Kashmir which violates all the international agreements that she agreed upon at the United Nations. However, to defend this claim, India has passed a series of laws that empower its military and police forces to act against the Kashmiri people in violations of international standards. In this context, India has 'legalized' arbitrary arrest, wanton destruction of property and has given soldiers and police the right to conduct searches without warrant. Ignoring the application of international humanitarian law, India claims that the Kashmiri defenders are terrorists, and has granted its armed forces 'shoot-to-kill' powers against the people of Kashmir. Very recently, India arrested Khurram Parvez, one of the internationally known human rights activist. India said that Khurram Parvez is a terrorist. While as, Mary Lawlor, the United Nations Special rapporteur on Human Rights Defenders said, "Khurram Parvez is not a terrorist. He is a human rights defender.

Five of these laws clearly violate international standards.

The Terrorist and Disruptive Activities Act (TADA). This law allows Indian forces to round up and detain citizens for up to one year without formal charges, due process of law or formal trial. When and if court hearings are held, they are held in secret. Victims are not allowed to confront their accusers, and 'witnesses' can keep their identities secret. Confessions, often extracted through deliberate and brutal forms of torture are admissible if police affirms, they were obtained 'voluntarily.'

The Jammu and Kashmir Public Safety Act. This law enables the Indian security forces in Kashmir to detain civilians for up to one year without trial or due process for a wide variety of reasons, including the exercise of free speech. For example, under this act, an individual whose child has been murdered by Indian security forces and speaks out publicly against India's campaign can be detained for up to one year without trial for endangering 'public safety.' Also under this act an individual who produces pamphlets or newsletters that advocate the implementation of the United Nations resolutions calling for a plebiscite in Kashmir can also be arrested and detained without formal charges or due process.

The National Security Act. Under the act, the armed forces and the police can detain individuals for up to one year without charge or trial to prevent them from 'acting in a manner prejudicial to state security.' Under this law, an individual does not even have to take a specific action to be detained. If the Indian authorities believe that he is about to do something, they can detain him without charge to prevent him from acting.

The Armed Forces Special Powers Act (Jammu and Kashmir) [AFSPA]. This law was passed on September 10, 1990. It allows the Governor of the State of Jammu and Kashmir to unilaterally 'declare the whole or any part of the state to be a disturbed area.' By identifying Kashmir as a 'disturbed area., this act empowers the armed forces to search homes without warrant, arrest Kashmiri citizens without warrant, destroy entire homes and villages and shoot innocent civilians in the streets with intent to kill.

The Unlawful Activity Prevention Act (UAPA). The law allows authorities to designate someone as a "terrorist" and detain them without producing any incriminating evidence. It also has stringent requirements for granting bail, which means individuals often spend months, sometimes years, in jail without being found guilty.

These laws violate articles 9 and 14 of the International Covenant on Civil and Political Rights. These emergency legislations that places the civilian Kashmiri population at the disposal of India's staggering military and paramilitary personnel should be repealed.

Lack of concern about the matter is reflected in the U.S. State Department's Human Rights Report which has not and does not keep official records on killings by Indian forces in Kashmir occurring under the Armed Forces Special Protection Act (AFSPA). They don't track them. Yet its own website, while alluding to the Universal Declaration of Human Rights, declares so glibly, "We see it as fundamental to our own interests to support a just peace around the world - one in which individuals, and not just nations, are granted the fundamental rights that they deserve." By such willful choice to remain silent, the U.S. is in fact declaring that Kashmiris have no fundamental rights and do not deserve them.

The United Nations High Commissioner on Human Rights (UNHCHR) issued its "Report on the Situation of Human Rights in Kashmir," on June 14, 2018. The report contains graphic documentation of human rights violations being committed by the Indian military and paramilitary forces in Indian Occupied Kashmir. This is a significant step towards greater international recognition of the serious abuses committed against Kashmiris at the hands of Indian army. This report takes the veil of secrecy off of India's crimes against humanity. Perhaps now the global community can share the outrage felt by the people of Kashmir.

The report details many instances where the use of draconian laws has given sense of total impunity to the Indian army in Kashmir. It states, "The government of India has passed legislation under the Jammu and Kashmir Disturbed Areas Act of 1990 which gives extraordinary power to all ranks of the Indian military and paramilitary forces." These laws, the

report emphasizes, "have created structures that obstruct the normal course of law, impede accountability and jeopardize the right to remedy for victims of human rights violations."

The report underscored that "Impunity for human rights violations and lack of access to justice are key human rights challenges in the state of Jammu and Kashmir." And that "Impunity for enforced or involuntary disappearances in Kashmir continues as there has been little movement towards credibly investigating complaints including into alleged sites of mass graves in the Kashmir Valley and Jammu region."

Amnesty International (AI) called detentions under the Jammu and Kashmir Public Safety Act as lawless law." AI wrote that "Hundreds of people are locked up on spurious grounds under the Public Safety Act in Jammu and Kashmir every year. This report exposes a catalogue of human rights violations associated with the use of administrative detention under the Public Safety Act. It highlights how these run counter to India's obligations under international human rights law. If India is serious about meeting these obligations, then it must ensure that the Public Safety Act is repealed and that detainees are released immediately or tried in a court of law.

All of these elements have turned Kashmir into the most dangerous place on the planet, according to President Bill Clinton and his national security advisers. It is Kashmir that could trigger nuclear volleys between India and Pakistan and bring forth a nuclear winter threatening to all mankind.

We know that all international conflicts ultimately were resolved on the negotiating table. If that is true, then the world powers should become deeply engaged in order to make sure that the peace process between India and Pakistan once initiated does not get derailed. They can play a bridge building to bring parties together so that the animosity is done away with and the dawn of dialogue and engagement is sustained. They need to make sure that the policy of conflict resolution adopted by both New Delhi and Islamabad over the Kashmir dispute is consistent, coherent, transparent, and dependable.

Trade and commercial deals are important but not at the expense of the high moral ground American exceptionalism has always claimed. Moral values and human rights are the very essence of even being called civilized.

India cannot sweep all this under the galicha. The truth is too painfully obvious. Isn't it time that world powers ask the people what they really want? Perhaps that would force the parties to actually deal with what is at the heart of their differences, the aspirations of the people.

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In their struggle against the tyranny of foreign occupation and to regain their rights, the people of Kashmir look for support from world leaders of conscience and concern who stand for freedom, democratic rights, and human dignity.

The global involvement in Kashmir will not only end the bloodshed and suffering in Kashmir, but also will have a direct positive effect on international security by eliminating regional fighting, national tensions, and the risk of a nuclear war between India and Pakistan. It is in everyone's interest to settle the Kashmir conflict peacefully without further delay. We don't want to see the horrific nightly scenes from Kosovo and Bosnia replaced by an even greater catastrophe in Kashmir.

We call upon the international community to exert pressure on Indian authorities to agree to the exercise of the recognized right of self-determination of the people of Jammu & Kashmir under the auspices of the United Nations. This alone will ensure peace, public order, and security in the region.

SULU ARBITRATION:
RIDICULOUS CLAIM OF A LONG-LOST SOVEREIGN

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Abstract

On Jan 22, 1878, an agreement was signed between the Sultan of Sulu with two British agents, Alfred Dent and Baron von Overbeck, ceding North Borneo to the British in return for the payment of cession money of 5,000 Malayan dollars annually to the Sultan. The payment was increased to 5,300 dollars per year when nearby islands from Banggi Island to Sibuku Bay were also ceded. Sabah was briefly placed under Japanese rule during World War II and later reverted back to British rule upon Japanese surrender in 1945. Sabah remained a British crown colony until it gained independence within Malaysia in 1963. As a component state of the Federation, Malaysia has invested billions of Dollars to develop Sabah, establishing a working government to administer this territory. The heirs of the forgone Sulu Sultanate have not done much to display that they are in fact the sovereign rulers of Sabah. This article discusses on the recent issue pertaining to the 'Sulu state arbitration' requesting Malaysia to pay compensation to the heirs of the Sulu Sultanate for exercising sovereignty over Sabah from the purview of international law and state sovereignty. The heirs of the defunct Sulu Sultanate are adamant that Sabah is still 'part of their territory'. This article concludes that Sabah is recognised globally as part of Malaysia, in no way Malaysia is obliged to entertain claims of descendants of a long-lost sovereign. As a full member of the United Nations, Malaysia is an independent sovereign state and its sovereignty over Sabah must be respected.

Keywords: Sabah, State Sovereignty, International Law, Territorial Integrity, Federation of Malaysia.

1. Introduction

The world has acknowledged Malaysia's sovereignty over Sabah and as a component state of the Federation.[1] Malaysia has invested billions of Dollars to develop Sabah establishing a working government to administer this territory.[2]

Since 1878, the heirs of the Sulu Sultanate did not contribute significantly to the political stablity and economic development of Sabah. When Sabah was invaded by Japan, they were no where to be seen fighting for their 'so-called' land.[3]

In 2022, the heirs of the defunct Sulu Sultanate has initiated legal proceedings to seize assets belonging to the national oil company, Petronas, registered in the Netherlands, the value of which could run into the billions.[4] This was done to satisfy a US$14.92 billion award by a Spanish arbitrator Gonzalo Stampa.[5]

In response, Malaysia has instituted legal proceedings in Luxembourg and will take similar steps in the Netherlands to resist and set aside the unwarranted claims from this arbitral award.

Malaysia does not owe anyone money for Sabah, especially to the heirs of the forgone Sultanate of Sulu.

2. History

The 1878 treaty signed between the then Sultan of Sulu and two British agents, Baron Von Overbeck and Alfred Dent on the cession of Sabah was utilised by the heirs of Kiram, to claim 'cession money' from Malaysia.[6]

The former territory of North Borneo was ceded or leased in perpetuity to the British in January 1878 by an agreement signed between the then Sultanate of Sulu and two British commercial

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[1] Danny Wong Tze Ken, 'The Name of Sabah and the Sustaining of a New Identity in a New Nation' (2015) 89 *Archipel* <https://doi.org/10.4000/archipel.495>.

[2] Tracy Bull, 'Sabah Tables RM5.1bil Surplus State Budget for 2023', *Free Malaysia Today* <https://www.freemalaysiatoday.com/category/nation/2022/11/25/sabah-tables-rm5-1bil-surplus-state-budget-for-2023/>.

[3] 'Only in Sabah – an Uprising!', *Daily Express* (2022) <https://www.dailyexpress.com.my/read/4738/only-in-sabah-an-uprising-/>.

[4] Jose Barrock, 'Sulu Sultan's Heirs Strike Again', *The Edge Markets* (2022) <https://www.theedgemarkets.com/article/sulu-sultans-heirs-strike-again>.

[5] 'Report: M'sia Ordered to Pay Almost RM63b to Sulu Sultan's Descendants', *Malaysiakini* (2022) <https://www.malaysiakini.com/news/612566>.

[6] 'Filipina Buka Semula Jabatan Menuntut Sabah', *Berita Harian* (2020) <https://www.bharian.com.my/dunia/asean/2020/09/726842/filipina-buka-semula-jabatan-menuntut-sabah>.

agents, namely Alfred Dent and Baron von Overbeck of the British North Borneo Company, in return for payment of 5000 Malayan dollars per year.[7]

The sum was increased to 5,300 dollars when the cession was extended to include islands along the coast of North Borneo in a treaty entered into in 1903. Before that the Sulu Sultanate based in Jolo and parts of Mindanao, was absorbed by the Philippines, which was under Spanish rule.[8]

The Philippines became a territory of the United States in 1898, but without North Borneo.[9] The Sulu Sultanate was disbanded by the Americans in 1915 via the Carpenter Accord.[10]

During Japanese occupation in 1941, Sabah was made a Japanese colony[11] and the Japanese empire obviously did not pay any 'cession money' to the heirs of the defunct Sulu Sultanate.

Sabah gained independence when it was federated into Malaysia on 16 September 1963.[12] The Philippines claimed sovereignty over Sabah when it joined Malaysia but agreed in 1977 not to pursue the claim.[13] In 2008, an initiative by Nur Misuari, a leader of the Moro National Liberation Front (MNLF) to take the Sabah claim to the International Court of Justice (ICJ) was regarded as a non-issue by the Sabah authorities.[14]

Malaysia consistently paid the so-called 'cession money' or 'compensation money' amounting to RM5,300 to the heirs of Kiram until 2013.[15] This was meagre sum, amounting to RM441.67 per month.

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[7] Mohd Hazmi bin Mohd Rusli and Muhamad Azim bin Mazlan, 'Sultan of Sulu's Sabah Claim: A Case of "Long-Lost" Sovereignty?', *RSIS Commentaries* (2013) <https://www.rsis.edu.sg/rsis-publication/rsis/1933-sultan-of-sulus-sabah-claim/#.X08V_u_ivIU>.; PJ Rivers, 'The Origin of "Sabah" and a Reappraisal of Overbeck as Maharajah' (2004) 77(1) *Journal of the Malaysian Branch of the Royal Asiatic Society* 67–99.

[8] Jamari Mohtar, 'Sulu Claims: 1903 Agreement Removed Any Ambiguity', *New Straits Times* (2022) <https://www.nst.com.my/opinion/letters/2022/07/816064/sulu-claims-1903-agreement-removed-any-ambiguity>.

[9] Matthew Wills, 'The Ugly Origins of America's Involvement in the Philippines', *Jstor Daily* (2017) <https://daily.jstor.org/the-ugly-origins-of-americas-involvement-in-the-philippines/>.

[10] Dona Z Pazzibugan, 'Sultanate to Invoke 1915 Pact with US', *Inquirer.Net* (2013) <https://globalnation.inquirer.net/66405/sultanate-to-invoke-1915-pact-with-us>.

[11] Ooi Keat Gin, *The Japanese Occupation of Borneo, 1941-1945* (Routledge, 2011) 38–42.

[12] Mohd Hazmi Mohd Rusli, Roman Dremliuga and Wan Izatul Asma Binti Wan Talaat, 'Future of the Malaysian Federation: Could It Be Separated?' (2018) 11(2) *Journal of East Asia and International Law* 486.

[13][13] Rusli and Mazlan (n 7).

[14] Ibid.

[15] Mohd Hazmi Mohd Rusli and Mohd Ridwan Talib, 'Malaysia Doesn't Owe Anyone Money for Sabah', *Malaysia Now* (2022) <https://www.malaysianow.com/opinion/2022/08/01/malaysia-doesnt-owe-anyone-money-for-sabah>.; 'Malaysia Stopped Paying Cession Money to Sulu Sultanate in 2013', *New Straits Times* (2020)

Within 51 years in the Federation, Sabah has undergone rapid modernisation that never took place in 253 years being under colonial rule.[16]

Unlike adverse contentions made by some, Sabah was never 'forced' to be part of Malaysia as it formed the Malaysian Federation with Malaya and Sarawak voluntarily. As reported by the Cobbold Commision, eighty percent of Sabahans and Sarawakians at that time were in favour of joining in to form Malaysia.[17]

Timor-Leste, the then Indonesian province of East Timor was invaded and annexed by Indonesia against the will of the Timorese.[18] As a result, a referendum of self-determination was held in 1999 and more than 70 per cent Timorese chose to be independent.[19] Timor-Leste became a sovereign nation in 2002 and still is grappling with economic problems. Nearly half the population lives in extreme poverty.[20]

Scotland is one of the states that formed the United Kingdom of Great Britain and Northern Ireland (UK) in 1707.[21] Scotland possesses its own Scottish pound as its national currency, its own national parliament, its own armed forces, enjoys a developed economy and home to a number of world-class universities. It has a very high human development index.[22]

Although Scotland is an economically developed state, it took them quite some time to consider whether or not to leave the UK after more than three centuries of union with England. The

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<https://www.nst.com.my/news/nation/2020/07/610835/malaysia-stopped-paying-cession-money-sulu-sultanate-2013>.

[16] Mohd Hazmi Mohd Rusli, 'Leaves of the Same Tree', *New Straits Times* (2014) <https://www.nst.com.my/news/2015/09/leaves-same-tree>.

[17] 'Formation of Malaysia 16 September 1963', *National Archives of Malaysia* (2022) <http://www.arkib.gov.my/en/web/guest/penubuhan-malaysia-16-september-1963>.

[18] Clinton Fernandes, 'Indonesia's War against East Timor: How It Ended' (2021) 32(6) *Small Wars & Insurgencies* 867–886.

[19] Ibid.

[20] Muh Khodiq Duhri, 'Kemiskinan Ekstrem Jadi PR Berat Ramos-Horta Pimpin Timor Leste', *Solopos* (2022) <https://www.solopos.com/kemiskinan-ekstrem-jadi-pr-berat-ramos-horta-pimpin-timor-leste-1321230>.

[21] Christopher A Whatley, 'Economic Causes and Consequences of the Union of 1707: A Survey' (1989) 68 (186) *The Scottish Historical Review* 150–181.

[22] Tom Gordon, 'Independent Scotland "Would Be Higher in Human Development Table than UK"', *Herald Scotland* (2014) <https://www.heraldscotland.com/news/13173093.independent-scotland-would-higher-human-development-table-uk/>.

independence referendum had already taken place on 18 September 2014 and Scotland has chosen to remain with the UK.[23]

In contrast, Sabah uses the Malaysian Ringgit, enjoys a developing economy and does not have its own military establishment. It does not have a parliament of its own but like other states within the Federation, Sabah has a state legislative assembly. Without these qualities possessed by Scotland, it may be quite intricate for Sabah to secede.[24]

In addition, with the unwarranted invasions by the so-called Royal Sulu army, the security of Sabah is always at risk.[25] As a member of the Federation, the Malaysian armed forces have always been vigilant in protecting Sabah against the intruders from undermining Malaysia's sovereignty.[26]

The world community through prescription, had, for 51 years recognised Sabah as part of Malaysia although the Philippines has never officially dropped the claim.[27] Nevertheless, the fact the Philippines has been dormant in its claim in a way showed that they have acquiesced Sabah as part of Malaysia.[28]

Unlike Scotland, there have never been any formal demands issued by the people and/or government of Sabah to secede from Malaysia. This clearly displayed that Malaysia is exercising effective occupation over Sabah.

Malaysia does not owe anyone money for Sabah based on the following reasons:

a. Malaysia is a sovereign over Sabah

b. The Sulu Sultanate was disbanded in 1915

c. The 1878 Treaty has been invalidated as Sabah became a Japanese colony in 1941

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[23] 'Scottish Independence: Will There Be a Second Referendum?', *BBC* (2022) <https://www.bbc.com/news/uk-scotland-scotland-politics-50813510>.

[24] According to Point 7 of the 20-point agreement is a list of 20 points drawn up by Sabah, proposing terms for its incorporation into Malaysia.

[25] Amy Chew, 'Sulu Militia Hatched in Southern Philippines: Security Source', *South China Morning Post* (2021) <https://www.scmp.com/week-asia/politics/article/3158966/secret-plot-invade-malaysias-sabah-sulu-militia-hatched-southern>.

[26] Yantoultra Ngui, 'Malaysia Police Taking Sabah Invasion Plot Report Seriously', *Bloomberg* (2021) <https://www.bloomberg.com/news/articles/2021-12-09/malaysia-police-says-taking-sabah-invasion-plot-report-seriously?leadSource=uverify wall>.

[27] Mohd Hazmi Mohd Rusli and Mohd Ridwan Talib, 'Malaysia Tidak Perlu Bayar Satu Sen Pun Kepada Waris Kiram', *Astro Awani* (2022) <https://www.astroawani.com/berita-dunia/kolumnis-malaysia-tidak-perlu-bayar-satu-sen-pun-kepada-waris-kiram-375074>.

[28] Jeremia C Flores, Clarencia S Reyes and Rodolfo C Sabio, 'The Legal Implications of the Unilateral Dropping of the Sabah Claim' (1982) 57 *Philippines Law Journal* 78–80.

d. The Spanish arbitation is illegal

e. There was no arbitration clause in the 1878 agreement & arbitration could not be forced upon parties

3. The 1939 Case

Earlier in 1939, the heirs of Sultan of Sulu i.e. the predecessors of the current generation of Kiram's family, had referred to the High Court of Sandakan, Sabah in respect to a dispute under the Deed of Cession 1878. The judge had confirmed the status of Cession Money under the said agreement.[29] Accordingly, by bringing the suit at the North Borneo High Court, the heirs of the defunct Sultanate of Sulu had acknowledged the jurisdiction of the Malaysian Court with regards to solving any issues relating to the agreement.

Thus, why did the so-called heirs of the defunct Sulu Sultanate now resort to arbitration in Spain? The significance of the 1939 case is that the heirs of the non-existent Sultan of Sulu had acknowledged Malaysia/Malaysian court as the rightful venue to adjudicate any issues arising from the agreement. Therefore, as the rightful heirs of the obsolete sultanate and the successors to the parties in the 1939's suit, the current generation of the Kiram family are legally bound by the decision made in 1939.

4. The 2020 Case

In 2020, Malaysian government had filed a suit at the High Court of Sabah and Sarawak to stop the Spanish arbitration led by a Spanish arbitrator.[30] The arbitration was filed by the current generation of Kiram family. The judge had to decide on whether:

i. There was an arbitration clause in the Deed of Cession 1878

ii. Malaysia has waived her sovereign immunity to submit to the Spanish arbitration

iii. Malaysia was the rightful venue to decide on issues relating to the said Deed based on historical facts and legal point of views

The High Court contended that nothing in the Deed of Cession 1878 displayed that both Malaysia and the defunct Sultanate have agreed to refer any disputes to arbitration. In fact, the

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[29] Peter Godwin and Daniel Chua, 'Malaysian High Court Grants First Anti-Arbitration Injunction on the Grounds of Sovereign Immunity', *Lexology* (2020) <https://www.lexology.com/library/detail.aspx?g=66349aa7-7107-4b06-94a2-52224fe8c9eb>.

[30] Niranjan Jose, 'Heirs of the Sultan of Sulu and North Borneo v. Malaysia – Explaining the Controversial Ad-Hoc Arbitration Case', *The Geopolitics* (2022) <https://thegeopolitics.com/heirs-of-the-sultan-of-sulu-and-north-borneo-v-malaysia-explaining-the-controversial-ad-hoc-arbitration-case/>.

parties must clearly express their agreement to submit to arbitration. Such intention must be clearly mentioned in an 'Arbitration Agreement' or an 'Arbitration Clause'. Further, the word 'arbitration' must also be clearly mentioned in the deed. The court found that there was no such arbitration agreement or arbitration clause in the deed. The absence of which will render no legal basis for the parties to submit to arbitration.

Moreover, Section 9 (1) Arbitration Act 2005 (Act 646) defines an arbitration agreement as, "an agreement by all parties to submit to arbitration in all or certain disputes between them in a legal relationship either it is contractual or not". Section 9 (2) states that the agreement for arbitration can either be in the form of an arbitration clause within the main agreement or a separate agreement for an arbitration.

5. The Spanish Arbitration is Illegal

The Spanish arbitration is illegal as it had violated Malaysia's sovereign immunty and had ignored a crucial legal issue i.e. whether Spain is the rightful country to determine the claim. By virtue of Madrid Protocol 1885 – an international agreement signed by Spain, Britain and Germany; Spain had relinquished her interest over the Sulu Archipelago and confirmed the British position in Sabah.

Thus, Spain has no relation either to the deed or to Sabah. Therefore, Spain has no jurisdiction to decide on the matter. The country that has the jurisdiction is Malaysia. Section 23 (1) Courts of Judicature Act 1964 (Act 91) confers the jurisdiction to Malaysia since Sabah is the place where the issue arose. Needless to say, jurisdiction is territorial. Since there was no proof of Malaysia waiving her sovereign immunity, the Spanish arbitration is illegal and the award is legally unenforceable.

6. Conclusion

As a sovereign State, Malaysia should not have paid even a single cent to the heirs of Kiram since 1963. However, as a gesture of good will, the government at that time paid the annual sum of RM5,300 anyway.

It was not wrong for Malaysia to cease payment in 2013 as Putrajaya neither deals with terrorists nor respect treaties with a long-lost sovereign.

However, a letter written by Malaysia's Attorney General in 2019 expressing Malaysia's regret in ceasing payments was a mistake and should not have taken place. Why should Malaysia

regretted not making payments to the heirs of Kiram while it is clear that Sabah is unmistakably Malaysia's?

Why should Malaysia honour a colonial treaty that was signed by an entity which is no longer a sovereign – disbanded by the Americans more than a century ago?

As Sabah is recognised globally as part of Malaysia, in no way Malaysia is obliged to entertain claims of descendants of a lost sovereign. Unlike other territories around the world, Sabah was federated into Malaysia in 1963 voluntarily without use of force or armed conflict. Sabah has been administered by Malaysia without interruption and protests by other sovereigns for almost six decades now.

Lessons must be learnt from this unwarranted 'Sulu Arbitration' that may put Malaysia's interest at stake. The ruling government must be aware and steadfast against any attempts to undermine Malaysia's sovereignty.

Malaysia does not owe anyone money for Sabah.

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V. SESSION: ISLAMIC UNION INTERNAL SECURITY VISION - I

MODERATOR: ASST. PROF. FEHMİ AĞCA

DETERMINATION OF PRINCIPLES AND PROCEDURES OF COMMON ASSISTANCE AND SECURITY FOR ISLAMIC UNION

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Bismillahirrahmanirrahim

All praise is due to Allah (SWT) as it says unequivocally in its verse: (Fight in the cause of Allah 'only' against those who wage war against you, but do not exceed the limits. Allah does not like transgressors.) (Al-Baqarah- 190), Afterwards, peace and blessings be upon Muhammad, the prophet of mercy and guidance, sent by Allah to people with peace and security. Emma-ba'd.

There is no doubt that cooperation is one of the necessities of life. Being civilized by nature, man cannot live alone without cooperating with others and cannot meet his sensory and moral needs; therefore, this cooperation provides many benefits to the individual and society such as economic, security and defense. So, he stands in the face of the difficulties and dangers that surround people in general and Muslims in particular, who can only achieve the goals of religion and the world by collaborating with others.

Since unity is the greatest weapon to be used in the face of various security instability, cooperation is the greatest source of security as it brings individuals together and removes people's grudges. It also helps a person accomplish great things that are difficult to do alone, which makes them feel powerful, not helpless and not a burden to the society they live in.

Cooperation, then, is to realize common security. It is the essence and the basic element of every success based on solid unity. It is what makes the individual and society happy, motivates them to put forth all their efforts and strength, renews and revitalizes their energy, and saves them from selfishness. Also, Cooperation is the source of the unity of nations in all fields, as it involves sharing the weight and burden with others, the opportunity to acquire new skills and benefit from the experience of others working with it. The individual is loved when he cooperates with others, especially when religion and the world are in the service of peace and unity, he obtains consent and love of Allah. As almighty Allah said: (Cooperate with one

another in goodness and righteousness, and do not cooperate in sin and transgression. And be mindful of Allah. Surely Allah is severe in punishment.) (Al-Ma'idah 2).

This short research we have is under the name of "Determination of Principles and Procedures of Common Assistance and Security for Islamic Union", which will realize the Islamic unity in terms of common cooperation in spreading security, peace and compassion to the whole world. If someone asks what are the reasons for the power of other powerful nations, who control most of the countries around the world and make the most of their capabilities and wealth? The answer is; one of the reasons for its power is the significant cooperation between their governments, one of the reasons for its power is the unified system of teamwork among Western countries. One of the reasons for the West's power is that it is unitary and institutional work, and one of the reasons it is Powerful is that it manages time, organizes itself before others, respects the leader and takes reference decisions.

All these civilization values and these strategies through which they acquired their economic and defense power; There is no doubt that this is one of the fundamental principles of our true religion of Islam. We need to achieve this despite the great difficulties that lie in this long journey for the benefit of our religion and the world, both at the individual, community, defense and economic levels.

Because when the enemies of the Islamic Ummah realized that our religion encourages us to cooperate and unite so that we can remain a strong nation, they put forward their cooperative strategy to fight against the Islamic legacy after radically exploiting the heritage of Islam and stick to the divide and rule policy. By these rules they have divided our community, dispersed our integrity, and waged wars between us to weaken us, plunder our wealth, deplete our economic and structural power, and deliberately displace the minds that have access to them, and thus we have entered into a bitter division and a shameful weakness.

Surely, Allah Almighty has warned us about this fate that will befall us, and has ordered unity and solidarity, brotherhood, cooperation and patient loyalty to faith, so that victory may come to us, as Almighty Allah said: (And hold firmly to the rope of Allah.) (Ali 'Imran - 103)

Thereupon, Allah Almighty said in another verse: (Obey Allah and His Messenger and do not dispute with one another, or you would be discouraged and weakened. Persevere! Surely Allah is with those who persevere.) (Surah Al-Anfal - 46)

Despite its importance right now, you will hardly find anyone calling for Islamic cooperation and unity in any field, including defense cooperation. Except for those responsible for this

young congress (ASSAM) in these lands where the blessed Ottoman-Islamic unity was established. We hope that the goals of this congress will first be enlightened by the grace of Almighty Allah, and then will be enlightened by the sincerity of the people of this country, which we ask Allah to increase security and stability. This is the light that will bring us all out of the gloomy darkness in which most of the members of the ummah and their countries have moved away from the teachings of our true religion, which are the teachings of peace, mercy, strength and unity, and it is the salvation of all humanity. May Allah prosper us in every way.

1. Foreword

{Fight in the cause of Allah 'only' against those who wage war against you, but do not exceed the limits. Allah does not like transgressors. (2/Al-Baqarah, 190). Praise be to Allah, who has commanded, and the Prophet of Mercy and Guidance, Muhammad, who is the messenger of peace and tranquility to all the worlds, and his companions, who followed him until the Day of Judgment and followed his Sunnah, and conveying the blessings of peace and blessings upon him.

Cooperation is one of the necessities of life, because man is civilized by nature, he cannot live alone without cooperating with others, he cannot meet his sensory and moral needs; it is cooperation that brings many benefits to the individual and society, both in terms of economic, security and defense; Man in general, and Muslim in particular, copes with difficulties and dangers with unity, which can only achieve the goals of religion and the world by cooperating with other individuals.

If the most powerful weapon used to cope with all kinds of difficulties is unity, the most important thing that provides this unity is cooperation; because it keeps individuals close to each other and removes hatred from their hearts, and also helps people to do great things that cannot be done alone, this shows the power of the individual and makes him feel that he is not a burden and incapable of the society he lives in.

Cooperation to ensure common security: It is the essence and basic element of every success based on solid unity, which makes the individual and society happy, pushes people to show all their efforts and strengths, renews and revitalizes their energies, and saves them from selfishness and self-love; Cooperation is also the source of the unity of nations in all fields, because sharing burdens and difficulties with one another, the opportunity to acquire new skills and benefit from the experience of others working with him, to be loved when he cooperates with others, and to gain God's approval and love; especially when it comes to religion, world, peace and unity service that is why Allah Almighty says: **(Cooperate with one another in goodness and righteousness, and do not cooperate in sin and transgression. and be mindful of Allah. Surely Allah is severe in punishment.)** (Al-Ma'idah, 2nd verse)

This summary study we have deals with the positive and fruitful cooperation in security, which ensures the Islamic unity for the spread of security, peace and mercy to the whole world:

Determination of Principles and Procedures of Common Public Order and Security for the Islamic Union.

The subject of this research is divided into two main parts and a conclusion.

First part: Mechanisms to face the challenges that hinder our cooperative Islamic Union principles and procedures.

Second part: The necessity of finding suitable grounds for cooperation in ensuring common security.

Conclusion includes recommendations and an overview of the research.

I pray to God that He will help me to explain this important issue and to draw what is for the benefit of the Ummah in this sensitive period in which the Islamic Ummah lives in the east and west of the world.

We pray to Almighty God to protect our countries and peoples from the dangers of the people of modern time, to grant us support and victory against the enemies of humanity wherever they are in the world.

Researcher Sheikh Compoare Boukary

Burkina Faso - 12/5/2022

2. First part

Mechanisms to face the challenges that hinder

our Islamic unity procedures and principles.

The powerful West, which controls most of the world's countries and exploits its opportunities and wealth to the greatest extent, asks a question: For what are the reasons for its power? The answer is one of the reasons for its strength, the serious cooperation between their Governments, the answer is that one of the reasons for its strength is the unified teamwork system among the Western countries and one of the reasons for the power of the West is the unitary and institutional work and the reasons for its strength are time management, self-organization before others, respect for the leader and making reference decisions.

There is no doubt that all these civilizational values and these strategies by which they have gained their economic and defensive power, this is one of the basic principles of our true Islamic religion; Despite the enormous difficulties that lie in this long journey, it is imperative that we embrace them at the individual, community, defense and economic level, in the interests of our religion and our world.

I wanted to tell them that the foundations of cooperation that brings togetherness, strength and well-being are the origin of our heritage, because we have a Quran to be read as Muslims and the Sunnah of the Prophet applied in our daily lives.

However, when the enemies of the Islamic Ummah realized that our religion encourages us to cooperate and unite so that we can remain a strong Ummah, after radically exploiting the Islamic heritage, they joined the common strategy to fight against the Islamic heritage and adhered to the policy of divide and rule. By this rule and the like, they have shattered our unity, created wars among us to weaken us, plunder our wealth, deplete our economic and structural strength, and deliberately displace the minds that have access to them, resulting in a bitter division and shameful weakness.

Surely, Allah Almighty warned us against the end of these events and patiently ordered brotherhood, cooperation and devotion to faith in unity and solidarity so that his victory would come to us. **{Hold firmly to the rope of Allah and do not be divided. Remember Allah's favor upon you when you were enemies, then He united your hearts, so you—by His grace—became brothers. And you were at the brink of a fiery pit and He saved you from it. This is how Allah makes His revelations clear to you, so that you may be 'rightly' guided.}** Ali 'Imran, 103

Also; **{Obey Allah and His Messenger and do not dispute with one another, or you would be discouraged and weakened. Persevere! Surely Allah is with those who persevere.}** (Al-Anfal, 46)

In a third verse, Allahu jalla celalahu; **{And do not be like those who split 'into sects' and differed after clear proofs had come to them. It is they who will suffer a tremendous punishment.}** (Ali 'Imran, 105).

In truth: When the Islamic nation abandoned these clear and definite divine orders, it became divided within itself without unity, its own enemy, the poor without wealth, the weak without power, the homeless without shelter, and the bewilderment and indecisiveness that shrank within itself.

Other ummahs in the world declared war on Muslims, who represent a power that solves difficulties, a strong unity that breaks the stubborn and frightens the giants of the world and the universe from east to west.

When Muslims were unmatched in terms of unity, vigilance, cooperation, strength and speed in helping the victims and defending the oppressed, that was the time when they followed the aims of the hadiths of Mustafa (pbuh): as our prophet said: **(Believers are like one body in loving, feeling bad for and protecting each other. When one part of the body is sick, the other limbs also suffer from insomnia and fever.)**

According to the narration of Anas, may Allah be pleased with him, he said: **(Believers give advice and love to one another, even if their homes and bodies are far away, and if they deceive one another, they are traitors, even if their houses and bodies are near.)**

In terms of the past verses in which Islamic unity gained its legitimacy and these clear and sound hadiths, we will not return to a powerful force that frightens the enemies unless Muslims return to the true religion; in this way, we move towards sincere cooperation, far from submitting to authoritarian forces; With this faith, we move towards a sincere unity guided by sincere brotherhood, advocacy and solidarity, as in the case of the one-body believer, as described by our Prophet (pbuh); then we fight by putting forth everything precious and valuable for the development of the Muslim homelands and their oppressed and aggrieved peoples.

But we think the challenges are great.

The challenges are great because the Western cruel and ferocious enemy, with a systematic intellectual invasion, managed to make Muslims listen to these verses with clear evidence and these authentic hadiths as myths that are no longer applicable; I would not be exaggerating if I say that the Islamic texts calling for unity are engraved in the dictionaries of the impossible for Muslims in the Islamic arena, because the reality of their present situation confirms or demonstrates this.

Why not! Today we see that most of the economic, energy, human and defense wealth in the Islamic world is used to smash the rest of the nation's crumbling body, except for rare exceptions.

Despite the importance of this cooperation in the field of defense, you will not find many people calling for Islamic cooperation and unity in any field, except those in charge of this young congress (ASSAM), in these lands where the Mubarak Ottoman Islamic unity was established.

We hope that the goals of this congress will first be enlightened by the grace of Almighty Allah, and then will be enlightened by the sincerity of the people of this country, which we ask Allah to increase security and stability.

This will be the light that will bring us all out of the gloomy darkness in which most of the members of the ummah and their country have turned away from the teachings of our true religion, which are the teachings of peace, mercy, strength, unity and salvation for all humanity.

The West's strategy of eradicating the power of Muslims, preventing their unity and solidarity, and then erasing them from the face of the earth, is a pre-planned and applied order. The American President "Richard Nixon" said in his memoirs, while writing the famous phrase that is considered an integral part of these unfair strategies: For Muslims we only have one of two solutions: First: To kill and destroy them. Second: dissolving them in other secular civil societies.[1]

The word is strange, and the strangest thing is that it is from people who claim to protect human rights; however, the most miraculous thing in the word is that Almighty Allah has warned us about these people and their practitioners for more than 14 centuries, and it has grown as follows: {For, indeed, if they find out about you, they will stone you 'to death', or force you back into their faith, and then you will never succeed.} (Al-Kahf, 20)

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[1] Memoirs of Richard Nixon.

Allahu ta'ala said: **{They do not honor the bonds of kinship or treaties with the believers. It is they who are the transgressors.}** (At-Tawbah, 10)

They have applied the concepts of these words since ancient times, continuing to follow their methodology and logic, which has been repeated by the leaders of the West and the enemies of Islam, which will not change in their plans and dealings with Muslims. The main purpose behind this is to extinguish the light of Islam, as Almighty Allah says-: **{They wish to extinguish Allah's light with their mouths, but Allah will ˈcertainlyˈ perfect His light, even to the dismay of the disbelievers.}** (As-Saf, 8)

Because of the importance of this issue, which concerns Muslim unity and defense cooperation, it was necessary to refer to the tireless intentions of others to fight and destroy us from ancient times, so that the seriousness of the issue is clear to everyone. To clarify the importance of cooperation in the dissemination of common security in the current period.

God repeated his warnings and said: {**How 'can they have a treaty'? If they were to have the upper hand over you, they would have no respect for kinship or treaty. They only flatter you with their tongues, but their hearts are in denial, and most of them are rebellious**.} (At-Tawbah, 8)

Global realities today strongly explain these lofty verses in independent Muslim Islamic lands, in more than one area, on more than one front, and on a war front led by the West.

Yes! Especially many Western countries still adhere to the "Morgenthau" and "Henry Kissinger" theory and say: There can be no gains without power.

Thomas P. M. Barnett"- American military analyst with extensive knowledge of the work of the American defense agency says: (America's new role is not just to promote democratic principles and the value of human rights, but rather to spread capitalist globalization and, if necessary, impose it at gunpoint in various parts of the world.)

One of the shocking and frightening statements by some of those who hold these ideas is the following statement by an American to a Muslim immigrant: The Muslim to him: When he told her that he had immigrated to America and worked and adhered to his religion, the American told him: (Whether you are American or not - we don't care if you are religious or non-religious, we brought you to America because we want to use your children in America as we wish in the future).

With this logic, many American studies have been published trying to emphasize the importance of the occupation of the ideas and minds of Muslims in Muslim countries in order to impose Western hegemony and ideology on the Islamic stage in the short and long term. It is important to know that the enemies of Muslims are leaders, thought and planning experts with a clear vision, a solid strategy against Islam, and that the texts of the Qur'an best testify to what we are pointing out, as Allahu ta'ala has said: - **{They are certainly devising 'evil' plans}** (At-Tariq, 15) Another verse states: **{And 'remember, O Prophet,' when the disbelievers conspired to capture, kill, or exile you. They planned, but Allah also planned. And Allah is the best of planners.}** (Al-Anfal, 30)

Yes! We do not say that all fault lies with the infidels; but also what we have about the shortcomings and great imbalance as we have stated in the statement, including the fragmentation of unity and other great shortcomings, we also have the weakness of faith, the lack of energy, the weakness of the will to change souls, the wretched reality of flaws and their manifestations, the weakness of piety.

However, I am quite sure that in addition to the political and economic pressure exerted by the enemies of the Muslims on those who intend to reform Arab and Islamic societies, there is much cunning and malice; As Almighty Allah tells us: **{The disbelievers from the People of the Book and the polytheists would not want you to receive any blessing from your Lord,}** (Al-Baqarah, 105)

and As almighty Allah said: **{Never will the Jews or Christians be pleased with you, until you follow their faith}** (Al-Baqarah, 120) Also**: {Many among the People of the Book wish they could turn you ˈbelieversˈ back to disbelief because of their envy, after the truth has been made clear to them.}** (Al-Baqarah, 109)

and As almighty Allah said**: {Say, "Allah's guidance is the only 'true' guidance." And if you were to follow their desires after 'all' the knowledge that has come to you, there would be none to protect or help you against Allah}** (Al-Baqarah, 120).

One of the purposes of these clear verses is to reveal the foundations of the importance of common defense, because we know who our united enemies are in the words of Almighty Allah, knowing the enemy is part of victory, (Sun Tzu) says: The one who knows his enemy and himself, his life spans up to a hundred battles, and the one who does not know the enemy

but knows only himself can sometimes be victorious and sometimes defeated. Those who do not know themselves and their enemies will always be defeated in every battle.2"

Undoubtedly, one of the characteristics of a conscious Muslim is to live in his age, to know the intrigues of his enemies and the ways of the murderers to destroy this religion, to be aware of his intention to break the unity of the faith. As Almighty Allah said: **{This is how We make Our signs clear, so the way of the wicked may become distinct}** (Al-An'am, 55) and also: **{Still it transpired so Allah may establish what He had destined—that those who were to perish and those who were to survive might do so after the truth had been made clear to both. Surely Allah is All-Hearing, All-Knowing}** (Al-Anfal, 42)

The conclusion here is:

The double standard policy of the enemy of Islam in the Islamic arena has left the elements of cooperation and unity between the societies of the Islamic Ummah missing, and has left its place to the elements of competition and incompatibility; These rivalries and strife have led to the loss of the element of joint production of defense among the members of the Islamic Ummah to cope with the difficult challenges that surround it. More precisely, this division has led to the inability to find sustainable solutions to the simplest issues. Example: Although Muslims own more than two-thirds of the world's wealth (Fighting Hunger and Disease).

Cooperation in promoting security, safety and stability is a binding legal obligation and this includes working to ensure medical and food safety. All these are among the things that Allah commands; because if the nations come together, in the short and long term, they will form a striking force and a deadly weapon that will not be underestimated until Allah takes over the earth and its inhabitants.

Allah has ordered Muslims to try to find this iron force with all the means available in the Qur'an, and it is known that every divine command in the Qur'an requires immediate duty and application.

Almighty Allah states the following in a strong and solid verse: **{Prepare against them what you ˹believers˺ can of ˹military˺ power and cavalry to deter Allah's enemies and your enemies as well as other enemies unknown to you but known to Allah. Whatever you spend**

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2 After the invasion of Iraq, imperial studies and studies were translated into Arabic

in the cause of Allah will be paid to you in full and you will not be wronged.} (Al-Anfal, 60).

Based on the aims of this sublime verse, Muslims should establish a suitable ground and establish serious mechanisms for the freedom and decisions of the nation, to manage their food and medicine, and to ensure security in their homeland; In order to regain his plundered wealth and regain his lost position among the nations, he must determine his own destiny according to the teachings of the Qur'an and Sunnah.

God willing, I will try to shed light on the mechanisms and background mentioned above in the next topic.

3. Second Part

The necessity of finding suitable grounds for cooperation in ensuring common security.

As we said and made clear in the introduction to this paper, we reiterate here that individual work provides only limited work with no public benefits, but huge and lasting results require collective action; Have you seen how, at the beginning of Islam, the banners of this religion spread to the east and west of the world through collective movements, thanks to the honorable Companions raised by the master of human beings? division, rivalry, conflict, accusations, and abandoning the values and teachings of Islam that call us to constructive cooperative unity, as we have said and explained before, are responsible for the weakness of Islamic society; As he mentions in his sublime verse, while encouraging us to stay away from internal quarrels between the people of the Qibla, Almighty Allah said: **Obey Allah and His Messenger and do not dispute with one another, or you would be discouraged and weakened. Persevere! Surely Allah is with those who persevere.}** (Al-Anfal, 46)

From this perspective, we need the following:

First: Finding a suitable ground that will help in establishing the hearts and the unity of the word,

Second: Combining goals, will and means to achieve desired ends.

This can only be achieved through actionable proposals, negotiable views and actionable decisions.

These suggestions and comments include (but are not limited to):

First: The priority of spreading the culture of peace and instilling it in the souls of the present and future generations of the nation, because one of the most important aspects of the enemy to

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put obstacles in front of the Muslims, to prevent the provision of common means of security service: The method of scaring Muslims from evil, terror and love of blood, etc.

To remove this main obstacle; Adhering to the method of peace and its propagation and forcing the ummah to it (i.e. peace) and refraining from attacking others, you must inform other peoples that you are peaceful and do not want the manufacture of weapons except in self-defense, private and public property, justice, honor and protection of the land; Only by spreading the culture of peace in the souls and applying it on the ground can we achieve all our goals in the field in question, which our enemy will force us to reckon with.

Allah mentions about this as follows: **{O believers! Enter into Islam wholeheartedly and do not follow Satan's footsteps. Surely he is your sworn enemy.}** (Al-Baqarah, 208).

Allahu ta'ala ordered: **{Fight in the cause of Allah ˹only˺ against those who wage war against you, but do not exceed the limits. Allah does not like transgressors.}** (Al-Baqarah, 190) and in Surah Al-Anfal: **{If the enemy is inclined towards peace, make peace with them. And put your trust in Allah. Indeed, He ˹alone˺ is the All-Hearing, All-Knowing}** (Al-Anfal, 61).

These concepts must be re-rooted in the souls of Muslims, so that Muslims can find a suitable basis for the production of comprehensive, unified and common defenses without the constraints set by the enemy and without the enemy finding reasons for obstruction.

Second: - Spreading the ideal values of Islam and emphasizing that despite their unity and strength, the enemies are weaker than one might think, no matter what they do, Muslims cannot be stronger than Muslims when they unite under the banner of Islam because their unity and unification are worldly and materialistic, and they know that when interests conflict, they quickly dissipate.

{Even united, they would not 'dare' fight against you except 'from' within fortified strongholds or from behind walls. Their malice for each other is intense: you think they are united, yet their hearts are divided. That is because they are a people with no 'real' understanding.} (Al-Hashr, 14)

And their union is inevitably temporary, and Allah has confirmed this in his Almighty word. **{... And from those who say, "We are Christians," We took their covenant, but they neglected a portion of what they had been commanded to uphold. So We let hostility and enmity arise between them until the Day of Judgment, and soon Allah will inform them of all they have done.}** (Al-Ma'idah, 14)

Third: Establishment of independent and high-tech defense security industry centers for the early education of this orientation for the children of countries who want to participate in the spread of security in Islamic countries.

Forth: - To give priority to finding pathways for human resources, developing, training and qualifying them with special interest and taking all necessary measures to facilitate the movement of qualified military and civilian competencies working in the armed forces in the united Member States, and to create a common intelligence working environment that ensures safety and security.

Fifth: - Establishing a secure and advanced military communications network between the security forces of the Member States with the creation of high-efficiency factories for production in high secrecy, in order to enhance the collective capabilities of command-and-control systems and to exchange information among them.

Sixth: - To conduct periodic joint exercises between the armed forces of the member states with weapons produced for various military types.

These proposed items are nothing but a minimal effort to add to the proposals to be put forward at this congress; if they are well evaluated and used well, this congress, which has been held in the past and present with higher goals, will yield comfortable and tangible results for its benefit; this congress will also be held in the future; As long as there is a desire for unity, unity will inevitably come first through Allah, then with honest intentions, will and determination.

We ask Allah to crown all other efforts with success at all levels and to unite the word of Muslims with His Almighty presence and generosity wherever they are in the world.

O our Lord! Reveal the truth between us and our people. You are the best of those who reveal the truth.

4. Conclusion

General summary of the research results.

Through this short study, we learned some of the following results:

1. The challenges facing the Ummah's unity in the field of cooperation towards achieving common security are great and varied; therefore, in order to face them, we need to quickly return to the Islamic values and teachings contained in the Book of Almighty

Allah; There is no stable solution that benefits Muslims in the short and long term, except to return to the Qur'an and recognize the constitutionality of the Qur'an for Muslims.

2. There is no way to face serious difficulties other than serious and sincere cooperation under the roof of Allah's word: {**Cooperate with one another in goodness and righteousness, and do not cooperate in sin and transgression. And be mindful of Allah. Surely Allah is severe in punishment**} (Al-Ma'idah, Verse2).

3. . It is necessary to avoid ideologies that do not unite the ummah, do not spread the culture of peace and mutual cooperation among the generations of the Islamic ummah, and which are in the nature of self-interest.

4. The hadith in which the Prophet (pbuh) said, "There is mercy in the congregation, but there is torment in the separation" (hadith narrated by Imam Ahmad and Tabarani from Nu'man); at the same time, our disobedience to the orders of the Quran and Sunnah in the field of unity and solidarity has taught us that the source of our weakness and pain is separation.

5. In this research, we concluded that it is very necessary and urgent to put in place effective mechanisms and find a suitable ground to face the challenges, and to move towards the unity of the Islamic Ummah under the umbrella of Islam and a joint cooperation security plan that benefits the public and private sectors under its peaceful, guaranteed foundations.

5. Recommendations

First: In this congress, we recommend that the suggestions received from the researchers be taken into consideration, examined and evaluated.

Second: We recommend the need to come out of this congress with a strong conclusion statement that opens the gate of hope to the members of the Islamic Ummah that the end of peace and bloodshed is coming, Insha'Allah.

Third: We suggest the need to develop immediate plans in the face of the threat of international and regional terrorism, which has become a global problem.

The fact that these plans are in an Islamic form that implicitly explains the concept of terrorism and that its struggle is not in a western but in an Islamic form, this can be considered as a starting point towards Islamic unity to protect the world and spread peace and security.

Summary: The Islamic Ummah's achievement of the impossible is possible thanks to alliance and cooperation, to stop the bloodshed of the Ummah.

So why are we not ideal for people? whereas a number of great countries, despite having different nationalities, different languages, different hopes, different and distant beliefs, different pains, old wars and deep hatreds, nevertheless ruled their minds and united themselves into one state; Any country in the north in Europe whose people are deported to another country without any frontiers or any sign that this is Germany and this is France; Europe is one country, one currency, one society, and among them are ancient wars and revenge, conflicts, languages and a different history; the God of the nation of Islam is one, our prophet is one, our book is one, our sorrows and hope are one, and we are seventy-three or more countries; The transition from one state to another requires three or four hours with documents, visas, investigations, the west wanted us to be divided, indeed the oppressors in the country see it as their only trump card as a separation card, and the evidence is: **{Indeed, Pharaoh 'arrogantly' elevated himself in the land and divided its people into 'subservient' groups, one of which he persecuted, slaughtering their sons and keeping their women. He was truly one of the corruptors. (Al-Qasas, 4)**

SOURCE LIST

Qur'an Kareem

Precise Imam Bukhari

Precise Imam Muslim

The Musnad of Imam Ahmad bin Hanbal.

Explanation of Abu'l-Ashbal Al-Zuhairi's book Al-Ibane from the Origins of Religion

Abu Tayyib Khan's statement explanation book on the purposes of the Qur'an.

Memoirs of Richard Nixon

Features of the Future book by Dr Mohammed bin Hamed Al-Ahmari

After the invasion of Iraq, imperial studies and studies were translated into Arabic.

Research is completed, thank God.

Allahumma salli ala sayyidina Muhammad va'ala alihi wa sahbihi ajmain

COOPERATION AND SECURITY FOR THE ISLAMIC UNION

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Abstract

Islam was revealed and practiced in the 7th century which is generally called as an Age of Faith. This revelation completed the Divine message being given to mankind through different prophets at different times and regions for leading successful and effective life. Logically, this also brought finality to the institution of prophet hood thereby declaring Muhammad (PBUH) as the last and final prophet and mercy for the entire mankind. Despite being revealed in the Age of Faith, Islam has its own reason and logic so as to remain compatible with the coming time. One aspect of this ever compatibility lies in its diversity and unity which brings people of different colour, region and race together on the strength of common faith. This diversity and unity of Islamic civilization gives the concept of one Muslim fraternity and opens ways for cooperation and collaboration among Muslim people and countries for their safety and security.

21st century is, no doubt, and Age of Reason where all matters are discussed and decided with logic and reason. This warrants for Muslim societies to explore reason and logic embedded in theory and practice of Islam that was exercised in 7th century state of Madina himself by Muhammad (PBUH). This exercise largely consisted of rule of law based Good Governance Model and Economic Model leading towards Shared Prosperity. Despite being custodian of Islamic heritage, Muslims are mainly unaware of these two models. By the grace of Allah, I have described these two models in detail in my book, "7th Century Madina Economics: The First Economic System of Mankind" published in 2020 in Pakistan. Mankind of 21st century is desperately searching for an ideology which could bring happiness and prosperity in their lives because both Communism and Capitalism have failed to do so. Creation of awareness and promotion of two above-mentioned models with reason and logic would provide an intellectual edge to Islamic ideology and motivate reason-based people of the West to listen and understand this. This would also force Muslim rulers to improve their political and economic systems. This campaign would be instrumental in creating a sentiment/passion among Muslim world for unity and solidarity.

Currently there are 57 Muslim countries situated at strategically important geographical locations, loaded with a variety of natural resources and having population over 1.6 billion people. However, Muslim countries are scattered and have no pact/treaty for their social and economic integration like European Union (EU) or other economic blocks like BRICS. There is no latest/ valid document about economic potential of Muslim countries for devising strategies for economic cooperation like counter trade among them or other ways and means to promote education in Muslim world or poverty alleviation etc. For this purpose, the already available platform of OIC could be activated by adding new dimensions to its mandate. The second possibility is creation of Islamic Economic Union (IEU) as a companion institution to the OIC. This is an uphill task owing to political difference prevailing among different Muslim countries. However, this is the only way for Muslims to occupy an important place in the coming time. This could be achieved in a phased manner. Firstly, we should prove validity and effectiveness of Governance and Economic models of Islam so as to achieve an intellectual competitive edge for Islamic ideology, followed by undertaking research to assess economic potential of Muslim world. Publication of such documents and strategies of cooperation might create a sentiment for Muslim fraternity leading towards cooperation for their security and safety.

1. Introduction

According to Pew Research Centre report, number of Muslims around the globe is increasing at a faster rate and likely to increase from 1.6 billion in 2010 to 2.8 billion in 2050 constituting 30 per cent of world population. For 2022, total Muslim population is estimated[1] at 1.98 billion people about 24.9 per cent of world population. In addition to visible presence in all developed countries, there are 57 sovereign Muslim states in the world not only located at strategically important geographical locations but also equipped with a variety of natural resources including oil, gold, and other minerals. Another important demographic factor relates to increasing number of youth entering work force every yea. Such a promising position is not found in case of other religions and regions. Despite such large head count, Muslim world has very little arrangements for mutual cooperation, safety and security thereby having no place in international political and economic decision making. As against this, different nations and regions have aligned themselves into different treaties, pacts and regional blocks to protect their interest in the coming global environment. Third decade of 21st century is likely to bring massive positional shifts among different nations and regions. This warrants for formation of policies and initiatives for enhancing cooperation among Muslim countries so as to protect their safety and security in the coming time.

2. Current Plight of Muslim World

Continued decline of Muslims for the last five hundred years has brought about a sort of despair among themselves and disillusionment about Islamic civilization. Muslims, far behind in knowledge, living in unjust societies and skeptical about validity and compatibility of Islam with the requirements of current age of reason need to be brought out this of this disappointment and disillusionment by showing them the true face of Islamic civilization that ruled the world for 400 years from 7th to 11th century[2] under Arab dominance followed by rule of great Ottoman and Mogul empires for another 400 hundred years starting from 14th to 18th century. This sort of awareness about the Lost Paradise of Islam would not only take away the current sluggishness from Muslim youth but also ignite a burning desire among them to regain their lost glory thus paving the way for desired cooperation. Creation of above awareness is certain to bear fruits for two reasons. Firstly educated youths in almost all Muslim countries are already conscious of this and waiting for direction from global Muslim leadership to convert this spark

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[1] http://en.m.wikipedia.org.

[2] Lombard, M. (1975), "The Golden Age of Islam".

into flame. Secondly and more importantly, Western civilization has been showing signs of fatigue and failure since the start of 21st century as evidenced by Accounting Firms Scandal[3] of 2002-03 followed by Global Financial Crisis of 2008. Above two debacles have shaken theoretical foundations of Capitalism in a big way as these occurred at the heart of Wall Street[4] leaving no arguments with Western financial pundits to defend as these have taken place in the knowledge era of 21st century. Almost same had happened with the Communist world at the demise of Communism in early Nineties. Lovers of reason and logic of 21st century are now in search of an ideology strong enough to provide peace and prosperity on sustainable basis. And this is high time for Islamic ideology to come forward and fill this gap.

3. Real Strength of Islam

After defeat of Iran, a senior member of Iranian royal family[5] was arrested and produced before caliph Omar in 7th century Madina. The caliph asked him for reasons of their defeat against Arabs who were never considered seriously by Iranian empire. He replied that in the past, we used to easily counter occasional Arab uprisings but this time things are different. You people certainly have something new, something additional which have helped you win over two super powers of Iran and Rome. The rightly guided caliph informed that this time we have two additional things; the Quran and Muhammad (SAW). These are two strengths of Islam which needs to be revived and deepened among Muslims in a manner consistent with requirements of current time.

Islam was revealed and practiced in the 7th century which is generally called as an Age of Faith. Despite being revealed in the Age of Faith, Islam has its own reason and logic so as to remain compatible with the recent and coming time. 21st century is, no doubt, an Age of Reason where all matters are discussed and decided with logic and reason. This warrants for Muslim societies to explore reason and logic embedded in theory and practice of Islam that was exercised in 7th century state of Madina himself by Muhammad (PBUH). Another aspect of this ever compatibility lies in diversity and unity of Islamic civilization which brings people of different colour, region and race together on the strength of common faith. Mankind of 21st century is in search of models of good governance and welfare-based economic system. The Quran has provided this theory of human guidance covering the broad spectrum of human life just in two

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[3] https://en.wikipedia.org/wiki/Accounting_scandals.
[4] Ahmed M.M, (2020) 7th Century Madina Economics, published in Pakistan in 2020.
[5] Pervez G A, Shahkar e Risaalat, published in Pakistan.

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words-Salat and Zakat.[6] This theory and practice of human guidance of Islam coupled with diversity and unity of Islamic civilization are two real strengths of Muslim which could be used for twin purposes. Firstly, it would provide ideological competitive edge to Islam in current debates and discussions for devising a just global order. On the strength of this ideological competitive advantage, diversity and unity of Islamic civilization[7] would be instrumental in promoting concept of one Muslim fraternity that would opens ways for cooperation and collaboration among Muslim people and countries for their safety and security.

4.   Concept of Salat and Zakat

Divine message for human guidance was revealed in series through different prophets at different times till its culmination in the shape of Quran, holy book of Muslims. Generally we know that all prophets advocated monotheism- One God, Omnipotent and Almighty. This constituted only faith but divine guidance about social, political and economic aspects of human life are generally not known. For this, the Quran simply uses two words- Salat and Zakat- repeatedly mentioned at different places but with the same sequence where Salat is essentially followed by Zakat. The Quran further clarified that other prophets had also preached for establishment of Salat and Zakat in their time. In Sura Mariam (Mary) of the Quran,[8] Prophet Jesus told people that he is servant of Allah Who made him prophet and throughout his life he will follow system of Salat and Zakat. In the coming lines of the same Sura, there is mention of Prophet Ishmael who used to ask his family members to act upon Salat and Zakat. In Sura Hood,[9] non-believers asked Prophet Shoaib that why your Salat is interfering in their economic matters. It could be inferred from the above that the divine message since its beginning had pleaded for establishment of two systems-Salat and Zakat- for leading successful and effective life. There was mention of Salat and Zakat in different suras of the Quran but work on this could not be done in Mecca due to arch opposition of other tribes (Quraish). After migration to Madina, formation of a Muslim society has become imminent because a larger population of Madina had embraced Islam. During migration journey, the Quran repeated its same message but in clear terms in Sura Haj.[10]

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[6] These two words have been mentioned repeated in the Quran but with the same sequence that Salat is essentially followed by Zakat.
[7] Iqbal A M, (2107) Diversity and Unity of Islamic Civilization, published in USA.
[8] Sura Mariam, (19:31).
[9] Sura Hood (11:87).
[10] Sura Hajj, (22:41).

"When we give authority to our pious men on earth, they establish Salat and Zakat promote positivity and prevent negativity".

After reaching Madina, Muhammad had implemented these two systems in its first year. System of Salat consisted of three parts. It started from faith (mosque) followed by a relationship of spiritual brother hood and fraternity between Muslims migrated from Mecca and people of Madina where rich people helped poor, and ended with the Treaty of Madina which made the entire society of Madina one nation (Ummah) in total disregard of their race, religion and creed. Known as Meessaq-e Madina, it was political system of the state agreed, documented and to be followed like a constitution.[11] Thus the above system of Salat equipped individuals with a positive mindset to enter work place for economic enterprise.

Zakat covered the whole economic activities of state of Madina. It consisted of free economic enterprise in the admissible areas where prices were determined according to forces of demand and supply of market in all circumstances. There was no tax on trade except an annual single low tax with flat rate of 2.5 per cent known as Zakat. Positive mindset originated from the system of Salat motivated rich people to happily spend their hard earned income on those people left behind in the economic struggle. Thus an inconclusive society came into being marked by equal access to economic opportunities and concomitant shared prosperity. Deliverables of Salat and Zakat could be shown in the shape of a diagram.

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[11] www.drhamidullah.com.

Generally Salat and Zakat are taken as prayers and charity in Muslim communities. Now we talk about determinants of Salat.

a. Faith-based Morality

Faith in Islam is a combination of beliefs which constitute overall thinking of a follower about himself and other individuals of society. It tells an individual about his/her rights and duties towards his Creator and fellow beings. As a result, a morality comes into sight which provides guideline for inter-personal dealing in all matters, economic and non-economic. For example, feelings of sympathy, meeting commitments and fairness in dealings etc. all come from faith of a person. This is theoretical foundation of positivity which keeps actions of an individual in line with its faith. It is a very important stage in the sense that it lays down the foundation of ideas and perceptions about human dealings and struggle in the society. Stronger the faith, stronger would be positive actions.

b. Spiritual Brotherhood

By virtue of faith, all believers become one community in total disregard of race, colour and region. As a result, a spiritual brotherhood takes strong roots in the society which generates strong passion among affluent sections of society for help and cooperation for people in distress. There are also other forms of brotherhood based on race, colour or language but these are not

so effective being narrow and biased in nature. For example, if such unity is formed on basis of race, colour or region, it would ultimately lead towards discrimination and injustice. We find a great example of spiritual brotherhood devised by Muhammad between migrated Muslims of Mecca and local Muslims of Madina where rich helped those who had become homeless and jobless. In fact, this was crisis management approach of Muhammad exercised at the time of migration and also a lesson for tacking other such calamities in future. In short, spiritual brotherhood fosters a strong positive mindset among members of society for respect and fairness in dealings. This is the moral aspect of a society which does not need any intervention or legislation from the government. Stronger the moral aspect, the more happy and satisfied inclusive society will come forth and vice versa.

c. Fair and Just Government

Third part of Salat relates to the institution of government which is fair and just for all of its citizens in total neglect of faith, race and colour. That is why Muhammad had arranged signing of Treaty of Madina soon after his arrival in the city. This agreement had gone beyond faith because it declared all tribes of Madina as one nation-Ummah, and guaranteed equal access to economic opportunities and justice to all, low and high of society including the enslaved. This treaty made 7th century Madina a cosmopolitan state where citizens of different faith and tribes became equal in the eyes of law. Here Muhammad gave the concept of minimum perks and privileges for ruler and their family thus demonstrating higher level of humility as ruler of Madina. He is certainly the only ruler in the history of mankind who did not take any salary from the exchequer of state of Madina. While being a highly respected and honoured ruler, he and his wives lived almost equal to the status of ordinary people of Madina- a great lesson for the rulers of our time. In modern time, Salat could be interpreted as a non-economic arrangement which starts from faith-based morality, promotes feelings of fraternity to be called as spiritual brotherhood among members of society and ends with the institution of government. Guidelines for conduct of economic activity also come from Salat.

Zakat

Zakat represents the whole economic system; people will work in the market and earn so much that they become liable to pay Zakat- an annual tax of 2.5 per cent. In Muslim world people do not know about Islamic economic system which raises a big question. How divine message for human guidance could be empty of economic ideology? Islamic economic system which could also be called as Madina Economics is hidden in the concept of Zakat used by the Quran. We produce below three main characteristics of Islamic Economic System as under:

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a. Market Orientation of Madina Economics

According to F.A. Hayek, markets do not need governments for its development and promotion.[12] Before Islam, there was no central government in the whole of Arabia but strong markets in its main cities were in place. Arabs were known as traders due to their global trade journeys. Further Muhammad, before announcement of his prophethood, was a merchant active in the area of the Red Sea and the eastern Mediterranean[13] and known for his honest and fair trade deals. Once, during a trade journey to Damascus, some part of food grains became wet due to rain. On reaching market, he separated wet food grain and sold those at lower prices than dry food grain. People of market were astonished at such rare display of absolute honesty. In Madina Muhammad initiated following revolutionary steps to establish a market-based economic system by reforming supply side and demand side of market.

- Jews were in the habit of making out of market purchases from producers/vendors by meeting them in the outskirts of the city and telling false stories of a sluggish market- a sort of forestalling in the language of market. All such out of market transactions were disallowed.

- People also used to exchange inferior goods with superior ones without going to market. This practice was also banned. People were advised to first sell inferior goods in the market and then purchase other goods from proceeds of money obtained from sale of inferior goods.

- After this uniform and standardized weights and measures in daily transactions were introduced. Traders of Mecca were well aware of weights (gold and silver) being global traders whereas measures of Madina were known. Despite arch enmity, weights of Mecca were accepted for use in Madina.

Purpose of these supply-side reforms was to ensure better rate of return to producers and vendors who bring their products to market for sale. After this Muhammad took following measures to correct demand side of market.

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[12] Lecture of Benedict Koehler in connection with his book Early Islam and Birth of Capitalism, 2014.
[13] Trade and Exchange in the Medieval Islamic World: An abstract taken from Encyclopedia of Society and Culture in the Medieval World and the Encyclopedia of Society and Culture in the Medieval World. New York: 2008.

- He declared that market is as sacred and important as mosque. For further deepening of this concept, he made status of an honest trader equal to pious people and martyrs.[14]

- Islam shows soft corner for buyers who create demand in the economy. It binds sellers to mention merits and demerits of goods to the buyer before sale- a concept of Seller Be Aware as against the concept of Buyer Be Aware (Caveat Emptor)[15] in Capitalism. Sellers were asked to happily return any good purchased by buyer earlier

- Another peculiarity of Islamic market was its working strictly according to forces of supply and demand of different goods as against Jewish markets where Abu Rafah, a big Jew stockiest, used to set prices in the four markets of Madina.[16] Once prices increased substantially in Madina and people requested Muhammad to fix prices. As per prevailing practices, rulers used to fix prices arbitrarily in such situations but Muhammad refused to do so. Based on this refusal, Benedict Koehler (2014) calls Muhammad the first free market economist of mankind.[17] Motive behind all such steps was to put in place a market-based economic system.

b. Single Low Rate Flat Tax-Zakat

Tent market of Muslims in Madina was also popular due to ease of doing business because Muhammad had abolished all sorts of taxes on trade. Before this, there was tax on farmers/vendors bringing their products in the market for sale. Traders were also taxed who used to pass on that to consumers in shape of enhanced prices. This tax-free initiative brought magic results for all segments of market. Since now being nil tax on entry in the market, producers/makers of goods and services preferred to go to tax free tent market. Similarly, traders and customers from Jewish markets also shifted to the tent market due to ease of doing business and lower prices. Zakat is the only low rate flat tax of 2.5 per cent on income from trade and other domestic business activities. Usher is the other tax on agricultural production and its rate vary between 10 to 20 percent depending on type of irrigation. In case of emergency, other taxes could

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[14] A famous hadith quoted in almost all books of Hadith.
[15] Caveat Emptor is a principle that buyer alone is responsible for checking the suitability and quality of goods before a purchase is made.
[16] Ahmed M.M, (2022) 7th Century Madina Economics, Urdu Version published in Pakistan.
[17] Koehler, B., (2014) "Early Islam and the Birth of Capitalism", Lexington Books.

temporarily be imposed. Some scholars are of the view that rate of Zakat could also be increased.[18]

In todays' environment of multiple taxes, an important question comes in mind that how government would be run in the presence of only two taxes on domestic trade and business. In fact, Zakat is a tax on total wealth including income of the current year and the income accumulated from previous years. Further, it also includes gold and other precious metals. This tax, essentially to be deposited with the government, makes the institution of government a big spender on projects related to weaker sections of society and infrastructural development. Thus, despite nil tax on trade/business, sizable amount of money reaches government to finance its expenditure.

The current policy of taxation under Capitalism represents a paradoxical situation. Firstly poor people have to pay huge amounts of money on their daily purchases in shape of such hidden taxes which ultimately become part of price. Secondly a number of money transfer programmes started in the name of poor people by incurring heavy disbursement cost do not fully reach them. If taxes are removed from trade/business, poor people would be direct beneficiary of this because their poverty would fairly be reduced without any increase in their income. After sub-prime mortgage crisis of 2007-08, discussions and debates are being made in the Western economic circles about curing economic ills of Capitalism. Thomas Piketty[19] has forwarded idea of higher tax on capital in his famous book, "Capital in the 21st Century". Bill Gates demands tax on consumption because taxing capital would be counterproductive for business. Supply side economists are clamouring for reduced taxes because (in their opinion) economic activity is ultimately reduced due to increased taxation which, in turn, discourages investment. Fourteen century Muslim economist and scholar, Ibn Khaldun had also said that the higher the tax rate, the less tax revenue will be collected, and vice versa.[20] It is a matter of great surprise that 1400 years before, Islam had an effective mechanism of ease of doing business and poverty alleviation by exempting sale/purchase of goods in the market from any tax.

c. Shared Prosperity- Managing the Surplus Value

An economic system is bound to have a built-in mechanism to distribute fruits of economic growth judiciously among all segments of society thus leading towards shared prosperity. Three

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[18] www.drhamidullah.com.

[19] Piketty, T., (2014), "CAPITAL IN THE TWENTY-FIRST CENTURY", Harvard University Press CAMBRIDGE, MASSACHUSETTS LONDON, ENGLAND.

[20] Ahmed M.M, (2020) 7th Century Madina Economics, published in Pakistan.

economic systems approach this important issue differently. For two reasons, Capitalism is not capable of achieving shared prosperity. Firstly, despite its pro-production bias, it has no mechanism of judicious distribution of fruits of economic growth. Secondly, its working under interest ends in concentration of wealth in a few hands surrounded by a sea poor people leading a miserable life. This has happened in a big way twice in the history of Capitalism; once in 19th century after Industrial Revolution and secondly in the recent crisis of 2008. The recent outcry of "one per cent and 99 per cent" seen in highly mature economies of the West stands witness to the above observation.[21] Communism made a bold attempt but could not succeed. In Communist Russia production increased manifold in the initial years but this acceleration could not be sustained. This was largely due to negation of the concept of private property and lack of ethics and morality which, taken together, took away motivation of work from the working class because of guaranteed free availability of food and shelter.

> Madina Economics, due to prohibition of interest, has a strong production bias because all available resources are diverted towards real sector for production of different goods and services. Faith-based morality and feelings of fraternity/ brotherhood coupled with pro-poor government help distribute fruits of economic growth judiciously in all segments of society. That is why traders of Madina had repeatedly asked Prophet Muhammad about how much money they should spend on those left behind in the economic struggle. This question- certainly never raised in the history of mankind earlier- was answered by the Quran advising people to spend on others what was in excess[22] of their needs. Surprisingly, the Quran had also talked about surplus value/income in the 7th century, and also told its solution; to happily spend ones' hard earned income on others after meeting your own needs. Beauty of this Quranic injunction lies in the fact that the decision of assessment of ones' own needs/requirements is to be made by individuals themselves and not by the state as is the case with Communism. Thus, in the modern time, it is only Madina Economics which has capability of ensuring shared prosperity- the long cherished desire of 21st century mankind.

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[21] After the Global Financial Crisis of 2008, belief of Western people has largely been shaken due to higher levels of income inequality as shown by slogans of the Occupy Wall Street Movement.
[22] Sura Al Baqra, (2:219).

5. Strategies for Cooperation, Safety and Security

In view of existing differences among different Muslims countries, the task of uniting Muslims seems an uphill task. Therefore it should better be started from consolidating strengths of Muslim World so that an environment of collaboration and cooperation could be created. For this we need a three-pronged strategy with short term and long term objectives coupled with strong institutional arrangements for effective implementation as detailed below:

A. Awareness about True Face of Islam

In this age of reason, promotion of awareness about the Quranic system of Salat and Zakat would provide a strong message about validity and utility of the theory and practice of Islam to educated youth of 21st century-both Muslims and non-Muslims. Following actions are required in this regard.

(i)   A comprehensive compendium consisting of different models covering all aspects of human life as shown above under Salat and Zakat may be prepared, made part of curricula of different degree programmes and taught in colleges and universities of Muslim countries.

(ii)   In 2010, President of World Economic Forum had requested different religions for help in reforming their ailing economic system [23]. Madina Economics gives a loud message of an inclusive society by managing the surplus value created in the process of production. This message needs to be presented at global economic forums, inter-faith dialogues and programmes of the United Nations particularly in achieving its Millennium Development Goals (MDGs).

(iii)   Periodic lectures of these models may be arranged at different locations by inviting students pursuing higher education from various Muslims countries. Such networking of educated Muslim youth would open gates for cooperation and collaboration among them.

B. Assessment of Economic Potential of Muslim Countries

Currently, no reliable/certified studies about economic potential of different Muslim countries are available. There is dire need to prepare economic profile of each Muslim country with particular emphasis on production capabilities, mineral wealth, export/import and other related economic indicators in modern and uniform formats so that important policy actions could be initiated as under:

(i)   Identification of possibilities of counter-trade among Muslim countries.

(ii)   Exploring the Lead Country concept in different fields of Economics. Those Muslim countries who have excelled in certain economic areas may work as Lead Country for countries lagging behind in that area. For example, manufacturing base of Malaysia, health facilities in Türkiye and textile sector of Pakistan and Bangladesh could work as trend setter and pace setter for other Muslim countries.

(iii)   On the basis of this study, different Muslim countries could be advised about the existing and coming economic opportunities in other Non-Muslim countries. Further, economic arrangements for concessional trade and access to markets could be signed with those non-Muslim countries wherefrom bulk of export or import is made by Muslim countries.

C. Suitable Institutional Arrangements

Currently Organization of Islamic Countries (OIC), based in Jeddah, Saudi Arabia with regional offices in New York, Geneva, Brussels, Iraq, Afghanistan and Indonesia, is the only platform of Islamic world to protect and safeguard interests of Muslims in the spirit of promoting peace, security and creation of harmony through inter-faith dialogue among various people of the world. Following proposals are given to streamline working of OIC.

(i)   There is need for Bottom-Up organizational structure for OIC by having regional offices for each continent, for example, Asia Chapter, Africa Chapter, Europe Chapter and so on. These chapters would work in liaison and cooperation with apex head quarter of OIC. This would not only broad base member country participation but also provide better information and feedback about any regional issue to the OIC headquarter.

(ii)   In the past there was Regional Development Cooperation (RCD) agreement between Pakistan, Iran and Türkiye but it could not work successfully due to a number of reasons. This agreement needs to be made viable and some other Muslim countries of the region may be added. Such other agreement may be signed between Muslim countries of other regions. Regional chapters/offices of OIC may be assigned job of its monitoring and finding ways and means for making such collaborations a Success Story.

(iii)   Regional offices of OIC may be assigned the task of Talent Hunt from countries of their region. Such Talent Hunt programme include Ideas Battles of innovative ideas for improving chronic problems in member countries and financial assistance provided for implementation of selected innovative ideas. Further, it should also

highlight excellent performance of individuals/institutions in their jurisdiction and give awards to such best performers. Sharing of such events with other regions might ignite passion for competition for best performance.

6. Conclusion

For implementation of the above three-pronged strategy, comprehensive planning with short term and long term goals is required. Main area of obstacle in this regard is largely political in nature. Therefore, a great deal of care is required in its initiation so as to avoid opposition in the beginning. We should start from the first part of the strategy, promotion of awareness about real face of Islam- concept of Salat and Zakat as well diversity and unity of Islamic civilization. Türkiye could initiate this idea on its own in consultation and collaboration with Muslim countries of their choice. This is the work to be done on ideology front by making it part of curriculum, arranging lectures for Muslim students from different countries, inter-faith dialogue and discussions at global forums. This is not likely to attract objections from any side. If started actively in 2023, it is likely to mature and bear fruits by 2025.

Spade work for assessment of economic potential of Muslim countries may be completed by 2024 and second phase may be launched in 2025. If necessary, a companion organization under the mandate of OIC may be created for this purpose. Reorganization of OIC into different chapters and for other proposed activities may also be started during this period. In the first stage, OIC should be made more capable and responsive to issues of constituent member countries and concept of regional dimensions in working of OIC may be introduced gradually. Both these initiatives are likely to mature by 2030.

In the last years of third decade of 21st century (2027-28), idea of an Islamic Economic Union (IEU) may be mooted among Muslim countries. By that time political world position of super powerful countries, regions and groups/blocks would be much clear where Islamic world is supposed to be in much better position than now. If work of above three-pronged strategy matures earlier, then the idea of IEU could be launched after 2025. This grand initiative needs to be launched after great preparations, strong will and constant follow up because a great measure of opposition is likely to originate partly from internal differences of Muslim countries and chiefly from Western civilization.

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THE IMPORTANCE AND NECESSITY OF ESTABLISHING A JOINT UNIT FOR PUBLIC AND INTERNAL SECURITY ON BEHALF OF ISLAMIC COUNTRIES

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Abstract

When we look after the Ottoman Empire, the problems experienced by the disintegrating Islamic countries are not limited to terrorism, economic and social segregation, but in general, these problems create problems for Muslim countries and most of the conflicts taking place in the world today are experienced in Islamic countries. The fact that more than one-fifth of the world's population and more than one and a half billion people could not re-establish unity among themselves after the Ottoman Empire period, creates deficiencies in defense against terrorism and social discrimination that befell Islamic countries. Today, one of the solutions to this issue is the establishment of a common security and internal security organization among Islamic countries, which includes Islamic countries and even the world. When we look at today, various efforts to dominate and increase the sphere of influence in Islamic countries, especially in the USA, Russia, China and western imperialist states, contribute to the formation of terrorist acts and the increase in internal turmoil, in general, to create the necessary conditions for the emergence of regional conflicts in the Middle East. In order to end social segregation and terrorism activities in Islamic countries, it is important to establish a joint unit that can respond to these changes in a timely manner without delay and the establishment of this unit may be useful in resolving and eliminating the same or similar activities on behalf of Islamic countries without making the same mistakes again. When we look at the examples of the common security and internal security unit in the Islamic world, we will see it in the ancient history of Islamic countries.

"Obey Allah and His Messenger and do not dispute with one another, or you would be discouraged and weakened. Persevere! Surely Allah is with those who persevere." (Anfal,8/46)

As stated in the verse, the establishment of a new internal security and security unit among Islamic countries can only be possible if Islamic countries return to their values and unity and be patient.

Keywords: Islamic Countries, Common Security Unit, Ottoman Period, Middle East.

1. Introduction

Today, Muslims live with various cultural and social political segregations; these segregations in which they are in, have triggered the failure of the Islamic world to come together to form a common reaction and security unit against the problems faced by Muslims.

The segregation policy of the Islamic countries adopted by the imperialist powers and their officials in the Islamic countries prevented the establishment of a common foreign policy and security unit.

With the dissolution of the caliphate after the Ottoman Empire, the Islamic world lost its rallying point; after the World War I, lands and resources were usurped directly or indirectly through the states established after the Ottoman Empire, with economic, social, terrorist formations and lies of independence in Muslim countries, rebellions and betrayals against the Ottoman Empire by various imperialist powers.

Today, such actions continue to increase the sphere of influence over Russia, the USA, China and various imperialist states and Islamic countries; therefore, it is important for the Islamic world to return to the understanding of unity and solidarity, as in the Ottoman Empire, and to establish a common internal security and public order unit.

2. Importance and examples of public order in the Ottoman Empire;

The Ottoman empire was a sovereign united Islamic state that existed between 1299 and 1922 and ensured the security of approximately 1,800,000 km² of land.

Qadi is a public official appointed by the central government for a certain period of time to settlements called kazas in the Ottoman Empire, who is solely responsible for the shari'a and administrative judiciary in his area of duty, and also fulfills the duties of civil administration chief, local administrator and police director.

The subjects that the qadis were directly and personally interested in were judicial matters. Their function in other tasks is to supervise processes rather than directly doing the work. The qadis were independent as a lawyer and were the representatives of the sultan with absolute authority. Although they acted completely independently without taking orders from any authority in the region they served, they were only responsible to the sultan and the Divan.

Since they were obliged to apply the Shari'ah law, they were the representatives and spokespersons of the people against the state as well as the central government officials.[1]

In case of an incident and a complaint, they were being inspected by other qadis. There were also mobile qadis called land judges, who were tasked with investigating and inspecting corruptions that needed to be investigated.[2]

Being a qadi was seen as a profession on its own in the Ottoman Empire; Those who had a madrasa education and had knowledge of law became qadi.

Candidates for qadi were assigned as interns, at least five people each, at the qadi court in a large center. After three or five years of internship, the qadi candidates would come to Istanbul and spend time with mulazemet (assistant) for a year, and then they would be appointed as the qadi of one of the lower levels. The appointment, dismissal and transfer procedures of qadis were carried out by the Anatolian and Rumelian kazaskers. After the enthronement of each new ruler, the reassignment and reaffirmation of the duties of the qadis was necessary.

In the district units where they served, the qadis represented both the civil authority, the mayor's office and the qadiship on behalf of the sultan. The subjects that the Qadis were directly and personally interested in were judicial matters. In other tasks, they served as a person who supervised operations rather than directly doing the work.

3. Judicial duties

The Qadis were in charge of dealing with many issues in the Sharia courts in their region; they also dealt with the cases of marriage, division of inheritance, protection of the property of orphans and absentee, appointment and dismissal of guardians, supervision of compliance with

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[1] Bozatay, Şeniz Anbarlı; Demir, Konur Alp. " Judgeship in the Ottoman Judicial and Administrative System: An Institutional Evaluation"
https://web.archive.org/web/20170627130641/http://dergipark.ulakbim.gov.tr/makusobed/article/view/10980008 90/1098000699
Mehmet Akif Ersoy University Social Sciences Institute Journal Skin:6 Number:10 2014-June. 13 september 2022 in date
http://dergipark.ulakbim.gov.tr/makusobed/article/view/1098000890/1098000699 archived. date of access: 13 september 2022.
[2] Ortaylı, İlber. " Kadı in the Ottoman Empire" (PDF). Turkish Religious Foundation Islamic Encyclopedia,Skin: 24, Year 2001. Archived from the original on 27 June 2017 (PDF). date of access: 08 september 2022.

the provisions of wills and foundations, crime and murder, and all other cases in the Sharia courts and adjudicated according to the Hanafi sect. The qadis held their trials in mosques.[3]

Qadi also served as a notary public in the region where he worked. Duties within the scope of the notary public service include arranging a charter, appointing heirs, issuing bills of receivable, determining how orphans' property will be managed, arranging land registry records, marriage and divorce.

4. Administrative and Municipal duties

Main administrative duties of Qadi were:

- Ensuring the administration and security of the city
- Supervision of trade guilds
- Control of production and marketplaces
- Supervision of mosques, foundations and school administrations
- Ensuring the zoning order of the city.

Main municipal duties of Qadi were:

- Ensuring the general order and environmental cleanliness of the city,
- Ensuring the regular establishment of marketplaces,
- Controlling the price of products sold in bazaars and markets,
- Controlling the measuring instruments used by the tradesmen for commercial purposes,
- Carrying out the necessary zoning and regulation activities in the region,
- Preventing the basic goods that the public constantly needs from being on the black market,
- Giving warnings in order to maintain order and to impose measures and prohibitions where it deems necessary,
- Imposing the necessary penalties on those who do not comply with orders and prohibitions.

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[3] Ortaylı, İlber. " Kadı in the Ottoman Empire"
https://www.academia.edu/6571141/%C4%B0lber_Ortayl%C4%B1_Osmanl%C4%B1_Devletinde_Kad%C4%B1
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The qadi had regents, whose deputies could not handle all cases in a large area; the regents used to fulfill the duties of qadi[4] in their own sub-districts. Officials such as <u>soubashi</u>[5], <u>asesbashi</u>[6], and <u>dizdars</u>[7] working in the castles would assist the qadi in maintaining the security of the city. Qadi provided the zoning order of the city together with the chief architect. Neighborhood imams, muftis and court clerks also assisted the qadis in their duties.[8]

5. Derbendcis (Derbentler) Organization

These roads and routes, which are very important in terms of facilitating the <u>zoning</u> policy, <u>trade</u>, <u>transport</u> and travel, in order to ensure the safety of the <u>caravans</u>, constituted the lifeblood of the country. While the Derbendcis established on important trade routes and crossings acted as a safety chain along the way, new areas were opened to agriculture with Derbendcis, and the internal zoning issue was resolved with the villages established in the region and settlements in the Derbendci area.[9]

6. Importance and Examples of National Security Strategy (United States)

The National Security Strategy (NSS) is a document prepared periodically by the executive branch of the United States,[10] listing national security concerns and how the administration plans to deal with them. The legal basis of Goldwater–Nichols Act of the document has been specified. The document is particularly general in content and its implementation is based on detailed guidance provided in supporting documents such as the National Military Strategy.

Goldwater–Nichols act[11]: Under the Goldwater-Nichols Act of 1986, the Chief of Staff has no command, neither individually nor collectively. The chain of command goes from the President

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[4] Ortaylı, İlber. "Kadı in the Ottoman Empire",
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[7] Eftal Şükrü Batmaz, A General Overview of the Castle Organization in the Ottoman Empire
[8] Ortaylı, İlber. "Kadı in the Ottoman Empire",
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[9] Ersan Ersoy; Derbent Organization as a Settlement Policy in Turks, s.47
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[11] Goldwater–Nichols Department of Defense Reorganization Act of October 4, 1986

to the Minister of Defense, and from the Minister of Defense to the Commanders of Unified Combatant Commands. [12]

7. 2002 NSS

The National Security Strategy, published on September 17, 2002, included Bush Doctrine of preventive war[13], which was controversial. It also includes the concept of military superiority as reflected in the 1992 Department of Defense "Defence Policy Guide" prepared by the two main authors (Paul Wolfowitz and Scooter Libby) working under the then US Secretary Defense Dick Cheney. NSS 2002 also reiterates and re-emphasizes past attempts to provide substantial foreign aid. To countries advancing towards Western-style democracy with the "ambitious and specific goal" of "doubling the size of the world's poorest economies in ten years".

The Bush Doctrine emerges in the context of a transition from the old Cold War doctrine of deterrence to a proactive attempt to adapt the policy to the realities of the current situation.

The document also addresses AIDS as a threat to national security and promises significant efforts to combat its spread and devastating effects.[14]

8. 2010 NSS

On May 26, 2010, President Barack Obama, has published a new Strategy, called a "dramatic separation" from its predecessor by Susan Rice, the United Nations ambassador. The strategy advocated increased interaction with Russia, China and India. The strategy also determined the prevention of the proliferation of nuclear weapons and climate change as priorities and drew attention to the fact that the security of the USA depends on reviving its economy. The draftspersons of the new Strategy made the conscious decision to remove terms like "Islamic radicalism", not to mention terrorism in general.

2010 NSS said that in order to defeat Al-Qaeda and Taliban in Afghanistan the USA needs to establish a large amount of inter-agency cooperation and communication with the Muslim population in Afghanistan and around the world. The purpose of the National Security Strategy

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[12] 10 ABD Kanunu § 153.Başkan: fonksiyonlar" https://www.law.cornell.edu/uscode/text/10/153
Legal Information Institute. Cornell University. date of access: 13 september 2022.
[13] Bush Doktrini - Vikipedi (wikipedia.org)
Bush Doctrine - Wikipedia
[14] https://georgewbush-whitehouse.archives.gov/nsc/nss/2002/

is to create a stable situation for the world, including the countries fighting the insurgencies. "The most effective long-term measure for conflict and resolution is the promotion of democracy and economic development." Communication with the civilian population of the host country is essential to promote democracy and economic development. This Stability Operations Field Manual states that success depends on the United States' ability to build local institutions and the establishment of a legitimate permanent government that builds trust between citizens and counterinsurgency personnel. "To carry out useful public diplomacy to secure the population in Afghanistan and Iraq.[15]

9. 2017 NSS

The primary author of the 2017 National Security Strategy (NSS) was Nadia Schadlow, then deputy national security adviser; her work on the document and the interagency process that preceded it was well received by foreign policy experts across the political spectrum. The new document presented by US President Donald Trump on December 18, 2017, while calling China and Russia "revisionist forces", it removed "climate change" from being a national threat. He also described the world as an arena of competition rather than a "community of nations" or "international community" as previous documents had. NSS-2017 represents a break from past foreign policy doctrine. Brad Patty, co-author of the conservative think tank Security Studies Group, writes: "My guess is that the Foreign Policy elite will encounter these first pages as a kind of mold, even stereotype. A third page that directly rejects the entire living body of American foreign policy thought."

About a year later, Schadlow commented that the NSS had "reached significant status".[16]

10. 2021 NSS

In March 2021, President Joe Biden published the Interim National Security Strategy (NSS) 2021, which rededicated the United States to the NATO alliance and set the country's global priorities, and concluded that the United States "must demonstrate that democracies can still serve our people. "This will not happen by accident, we have to defend'' strengthen and renew our democracy." [17]

11. NATO and security strategies and examples

As a military alliance that was founded on the need for a security structure that would include the USA in the face of the Soviet Russia threat after the World War II and that has survived

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[15] https://obamawhitehouse.archives.gov/sites/default/files/rss_viewer/national_security_strategy.pdf
[16] http://nssarchive.us/wp-content/uploads/2020/04/2017.pdf
[17] https://www.whitehouse.gov/wp-content/uploads/2021/03/NSC-1v2.pdf

through various changes until today; NATO's understanding of security and the strategies it developed in parallel have also changed over time.

The first official strategic concept was published on January 6, 1950. In the document, it was emphasized that the alliance will primarily focus on the deterrence function, and the use of force will only be in question in the face of an attack.

. The beginning of the Korean War in 1950 revealed the need for additional security and made the alliance realize that it needed to strengthen its military structure. In this context, when the need to create a centrally commanded military force came to the fore, the NATO High Command of Allied Powers Europe was established in 1951.

Strategies are the set of long-term policies and objectives developed by member states to ensure their security. Since the change in the security environment in the international system also changes the security needs of the actors, the actors also need to develop new strategies to adapt to the changing security environment and meet the needs. In this context, alliances have to update their understanding of security and develop strategies accordingly in order to exist in the new security environment.[18]

12. Conclusion and Recommendations;

As stated in the above sections, the establishment of a common public order and security unit by Islamic countries will both reduce the segregation policies supported on the Islamic geography and re-identify the unity and values among Islamic countries.

In addition, the sharing of information technology among Islamic countries, the establishment of a common security unit, targeting Islamic countries and increasing the sphere of influence over them; terrorism will also serve as a deterrent against imperialist states that pose a direct or indirect threat to the economy and society, examples of this have always existed in the history of ancient Islam. If we look at our recent history, they could not usurp the resources of Islamic states before the collapse of the Ottoman empire, but after they succeeded in their imperialist aims against the Ottoman empire, they usurped their resources and lands by threatening the emerging states in various ways or turned them into colonial states; therefore, the establishment

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[18] https://www.nato.int/cps/en/natohq/57772.htm

of a common security and public order unit among Islamic countries and acting together and being in unity against imperialist threats is essential.

"Obey Allah and His Messenger and do not dispute with one another, or you would be discouraged and weakened. Persevere! Surely Allah is with those who persevere." (Al-Anfal, 8/46).

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VI. SESSION: ISLAMIC UNION INTERNAL SECURITY VISION – II

MODERATOR: ASST. PROF. İLHAMİ GÜNAY

CONCEPT AND PRINCIPLES OF INTERNAL SECURITY AND PUBLIC ORDER IN A MUSLIM STATE (OR ISLAMIC CONFEDERATION)

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Abstract

National Security means defense against an enemy and protection of sovereignty and independence of the state. The function of deterring and defeating external aggression is assigned to the armed forces of the state, whereas police and other law enforcing agencies look after the internal security, including maintenance of public order.

I wish to focus on the 'Concept and Principles of Internal Security and Public Order in a Muslim State (or in an Islamic Confederation). Such concept and practices differ considerably from one Muslim State to another due to various factors. However, there are two common denominations. First, most the Muslim countries are creation of post-colonial arbitrary divisions. Second, lack of evolution of democratic system based on justice and public welfare.

While seeking inspiration from Islamic concept and principles of a State and keeping in mind contemporary best practices in the domain of Internal Security and Public Order, following principles need attention: state responsibility; equality of citizens; justice for all; rule law; and no harassment, no exploitation, no intimidation or coercion by the state.

Under normal circumstances, internal security and public order is the domain of police or other such agencies. Following actions can help to ensure internal peace and harmonious public order: proactive response by police and law enforcing forces; swift arrest of criminals after an incident; complete protection of witness; prompt investigation; criminal intelligence surveillance and monitoring; effective riot control; capacity building to arrest violators of law; protection of critical infrastructure and government assets; and assertive border control.

All states must ensure that Islamic principles and international standards for fair trial are followed. No arrested person should be subject to torture or an unfair treatment. States may limit or curtail some individual rights for a short period only. However, all such restrictions must be guided by guarantees of lifting such restriction, as early as possible, and no violation of basic laws by police and law enforcing agencies.

Application of the principles of accountability and proportionality is extremely important. States must ensure effective monitoring and oversight through the institution of 'Ombudsman'. Islam is a dynamic religion that provides guidance to all societies for all times. It teaches a very fine balance between the rights and privileges of the individuals and obligation of the state towards its fellow citizens. The basic principle is that people must not cause mischief (unrest) in the state and state must not abuse its power. Some basic principles and guidelines taught by Islam in this regard are: a) "Make not 'Mischief' on the earth" (Al Quran, 2:11); b) "Obey Allah, and obey the Messenger, and those charged with authority among you" (4:59; c) "Oppression is worse than killings" (2:191; d) "He who kills a person (for spreading mischief in the land), it would be as if he slew the whole people (humanity)" (5:32); and "Judge thou between men in truth (and justices)" (38:26).

Widespread insecurity is prevalent in many Muslim countries. Therefore, Muslim states need to develop common strategies, based on Islamic teachings and norms to handle all such threats. They also need to cooperate with each other to strengthen their state's security and collective security of all Muslim states.

1. Introduction

Since times immemorial, kingdoms and empire have remain cognizant of their security needs, which meant being safe from external enemies' attacks and conquests or ability to repel and defeat such threats as well as absence of internal strife and rebellion or ability to overpower any such effort. With evolution of the idea of Nation State, after the Treaty of Westphalia, in 1648, the concept of National Security also emerged, which relates to safety and security of a state from any threat posed by an external enemy, against the territorial integration of the state, or a violence and aggression caused by dissidents and rebellious segments of the society or combination of both endangering states' sovereignty or independence.

In earlier time, imperial or crown forces were tasked to deal with both threats. At times, local forces were tasked to suppress and overpower internal uprisings and unrests, whereas royal forces were assigned the responsibility to defeat attacks of external enemies. Many a times, it was difficult to differentiate between these two types of forces at the disposal of a kingdom, especially an empire. However, in modern times, the function to deter and defeat external aggression are assigned to the armed forces of the state and police and other law enforcing agencies looking after the internal security, including maintenance of public order.

In this Paper, I wish to focus on the 'Concept and Principles of Internal Security and Public Order in a Muslim State (or in an Islamic Confederation). Though, in practice, such concept, philosophy, and practices differ considerably from a Muslim State to another due to their peculiar historical background, social, political and societal structures, regional and geographic context, and colonial past experiences and legacies in most cases.

There are 57 members of the OIC (and 63 Muslim states, according to some experts). The concept and principles followed by them for ensuring internal security, establishing control and maintaining public orders vary phenomenally in its character, form and practice due to the factors mentioned above. However, one finds two common denominations. First, most the Muslim countries are creation of post-colonial arbitrary divisions with total disregard to their geographic, social, ethnic, linguistic and historical background and linkages. In many cases, such division are totally unrealistic, illogical, irrational, and artificial thus can be called superfluous and unsustainable. These divisions were done by their erstwhile colonial masters to retain and perpetuate their control after nominal independence of their colonies. Second common factor is lack of evolution of participatory, consultative and democratic system and values of justice and public welfare. Most Muslim counties have been ruled (or are still being ruled) by kings, monarchs, military dictators and authoritarian despots. Such arrangements are

also directly related to these countries' colonial past, as it was easy for their erstwhile masters to control and manipulate these countries through one man or a group of self-serving coterie.

Considering these factors, it is difficult to analyze or evaluate the existing internal security structures in the Muslim countries. It may not be contextually correct to compare these arrangements with former Muslim states or other states and empires as the reference point has shifted drastically. With communication revolution, the world has virtually become far more interdependent like a global village. Moreover, many new public administration theories have been introduced and management practices have been adopted as universally accepted norms and an isolationist approach cannot work anymore. In addition, after dissolution of Ottoman Empire, there is no worthwhile model in the Muslim world that can be used a template for emulation with necessary adjustments.

Therefore, we are left with only one option, i.e. to draw inspiration from Islamic concept and principles of a State management while keeping in mind modern best practices in the domain of Internal Security and Public Order. Islamic Principle of a State vis a vis Internal Security and Public Order are summarized below:

a. State Responsibility. State is responsible to ensure safety and protection of all citizens from external aggression and internal disorder. For this purpose State must develop all necessary structure, institutions and forces as may be required in contemporary times.

b. Equality of Citizens. All citizens must be treated as equals, irrespective of their religious creed, colour, ethnicity, language, political affiliation, and social and economic status. No discrimination be done against any week or poor person or segment of the society and no favour be extended to any powerful person or group.

c. Justice for All and Rule of Law. Every person in the state must be treated in a just and fair manner. All disputes must be resolved in accordance with rule of law by providing fair opportunities to all individuals. Violation of state laws must also be treated in just and fair manner without impinging upon the fundamental rights of anyone. Even if someone is accused of having commit a crime and offence, he must be dealt with in accordance with the law.

d. No Harassment, No Exploitation by the State. The state must provide full protection against any possibility of harassment by state officials or powerful individuals and groups. Similarly, no exploitation of any citizens be allowed or tolerated through coercion or intimidation.

e. Public welfare to take precedence over State interest. The State is for the people and it must give preference to common peoples' interest over the interest of the state. Collective good take precedence over all other considerations.

2. Internal Security, Peace and Public Order

Though there is no precise definition that explains the notion of 'public order, however, it means the state of normality, safety and security that is needed in a society for leading a peaceful and harmonious life, while respecting commonly accepted and mutually agreed norms and customs of the society. Public order has also expressed as a condition depicting absence of extensively prevalent criminal and political violence, such as riots, demonstrations, protests against state or targeted groups, causing killing, murders, arson, and intimidation.

Breach of public order can be extremely threating and destabilizing for societies and nations. Criminal and politically motivated activities invariably result into violation of breakdown of law and order in a society that demand a timely and swift response from the state though its law enforcing agencies and institutions. Under normal circumstances, public order is the domain of police or other such agencies, prosecution services courts, and prisons that constitute the criminal justice system. Politically polarized system leads to arbitrary punishment and penalization which is through heavy handedness of police or other law enforcement forces, incompetent and corrupt judiciary, or cruel prison staff besides inhuman prison conditions.

Law enforcement, which is a state's capacity and ability to apprehend and arrest criminal and prevent suspected criminals to commit a crime, is extremely important for internal security operations. Following actions can help to ensure internal peace and harmonious public order:

a. Proactive response by police and law enforcing forces to include street patrols and apprehension and detention of suspected criminals.
b. Swift arrest of criminals after an incident is reported and collection of evidence.
c. Ensuring complete protection of witness against any harassment and intimidation.
d. Prompt investigation, including forensic analysis of available materials.
e. Criminal intelligence surveillance and monitoring.
f. Protect the judiciary from outside influence or ant threat, intimidation and provocation.
g. Effective riot control when required with minimum and essential use of force.
h. Capacity building to arrest violent violators of law and suspected extremist and terrorists.
i. Protection of critical infrastructure and government assets and public properties.

j. Assertive border security and control when specifically this task is assigned.

k. Islamic principles and international standards for treatment of detainees and fair trial, including complete freedom of defence must be ensured. Anyone charged with a criminal offense or breach of public order must be treated / presumed innocent until proved guilty.

l. No detainee or arrested person should be subject to torture or an unfair treatment or punishment, intimidation, and any form of violence.

m. Suspected offenders should be detained or arrested only in officially designated and publically recognized places of detention. Their families members should be informed about such detention and their legal advisers must accorded free access to them to prepare their defence.

n. All detainees and arrested persons should be produced in court of law within a specified time, preferably with 24 hours and reasons for the detention must explained and recorded. No arrest be made without specific written permission of notified legal authority. Decisions regarding legality of detention or otherwise and permissible duration must be made by authorized by judicial authority and must be recorded further legal proceedings.

o. Detainees and arrested persons should be allowed, as matter of their right, to contact their family members and legal advisors. The privacy of their communication with their families and legal advisers must also be ensure.

p. In case of sickness, al detainees and arrested persons should be provided necessary medical help by recognized medical authorities. As part of their basic rights. Their life must be protected and they must be e provided with satisfactory food supplies and items of personal hygiene.

q. Those who are declared as illegally detained must be released immediately with prejudice and bias.

3. Evolution of Concept of Internal Security and Public Order

As mentioned earlier there is no universally agreed definition of what constitute the notion of internal security and public order. The definition of such acts is still evolving rapidly. After purported 9/11 attacks on World Trade Center and some other places, the US government had reacted very violently in the shape of 'Global War on Terror'. A new department, 'Home Land Security' was established to deal with internal security. Many new laws were enacted. However, gross violation of basic human rights of detainees across the world have been well

recorded. Many were detained without any legal authority. They were kept in illegal detention under inhuman conditions. Most of them were tortured and many lost their lives. All under the pretext of misplaced notion of national security in violation to all international norms and basic human right consideration. That too by a state which claims to champion of human and political freedom and leader of the civilized world. If such crimes were committed by any other nation, these would have been tried by International Criminal Court under 'Crimes against Humanity and Genocide'.

Anyhow, the aim of above is explain that powerful nation has no respect for international accepted norms and principles, despite the fact that many States have codified the basic rules that govern public order in a society which are included in various international treaties. It is certainly an important responsibility of the governments to prevent disturbances that threaten their internal security and affect public order and collective security of citizens. To ensure safety and security of their citizens and to protect the public order, the States may limit or curtail some individual rights, for a specifically short period, in order to maintain law and order. However, all such restrictions must be guided by following principles:

a. Fundamental guarantees of lifting such restriction, as early as possible, as resorting normal life of all citizens.

b. Following the law and principle of 'Proportionality'. Restrictions must not allow gross violation of basic laws by police and law enforcing agencies.

c. Use of legal and legitimate means. The governments have the duty to maintain peace and reestablish and restore law and order through legitimate means. Even while maintain and restoring internal security and public order, the State must protect the fundamental rights of individuals as enshrined in the UN Charter and respective constitutions of the states.

d. Special arrangement must be made by the states to deal with 'organized and trans-border crimes', in cooperation and coordination with international police (Interpol). It is thus necessary that each individual country provide for its own internal security requirements while fully respecting fundamental freedoms and ensuring proper avenues of control in conformity with a common uniform democratic standard.

e. Accountability. Whereas government officials and institutions need to be empowered with requisite authority to ensure internal security and public order, some check and balance is essential to avoid misuse of authority. Therefore, need for an institutional arrangement of 'accountability'.

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f. The principle of proportionality. The curtailment of an individual right by an internal security element of a state, in order to protect national security, must use methods and means that are proportionate to the legitimate aim, in accordance with national law and international norms and conventions.

g. Follow the due course of law and justice. executive organs of the state, including the internal security services, must act quickly and decisively to protect the fundamental interests of the state and society

h. Since, fundamental rights and freedom of all citizens must be respected and protected, at all cost, a very careful and delicate balance should be maintained struck between the rights of individual and a society as compared to requirement of national security and dictates of the safety of the state.

4. Effective Monitoring and Oversight Mechanism

States are responsible to ensure their security and safety of their citizens. For doing so, they have a legal right, dully acknowledged by international law, to make necessary laws through proper legislative processes that may differ from one state to other. However, in all circumstances, the governments must always respect certain fundamental principles and human rights. Islam lays great emphasis on protection of individual's rights while highlighting an individual's obligations towards a state or legitimate authority. Therefore, the need to have an institutional and effective system of monitoring government official and institution that are responsible to ensure internal security and public order.

The institution of 'Ombudsman' to exercise strict oversight over the actions and decisions of all government officials, institutions, the prosecution process and criminal judicial system is essential to check and reduce abuse of authority and excessive power. Similarly, internal security and public order crimes must not be mixed up and confused with political crimes.

5. Islamic Principles of State Control and Use of State Power

Islam is a religion dealing with dogmatic concepts and beliefs. It is a dynamic concept that provides guidance to all societies for all times. Whereas, in historical context, various practices have been adopted by respective Muslim empires and state, depending on their requirements and circumstances, Islam does not approve of any form of oppression, harassment or coercion by the state.

Islam mean peace. Peace among individuals, peace within tribes, clans, communities and societies. Above all peace with nations. Islam, while protecting those rights of individuals,

allow that only a legitimate forces and means be used by the state to ensure peace and public order for harmonious living in a society or state. Hence, we find a very fine balance between the rights and privileges of the individuals, their obligations to society and state on one hand and obligation of the state towards its fellow citizens, along with its legitimate power over them. The basic principle is that people must not cause mischief (unrest) in the state through transgression and state must not abuse its power in name and pretext of establishing peace and order. Some basic principles and guidelines taught by Islam in these regards are as under: [further explanation to be covered in detailed Paper].

a. "Make not 'Mischief' on the earth". Al Quran, 2:11.

b. "Obey Allah, and obey the Messenger, and those charged with authority among you'. Al Quran, 4:59.

c. "Oppression are worst that killings". Al Quran, 2:191.

d. "He who kills a person (for a murder or spreading mischief in the land / world), it would be as if he slew the whole people (humanity)". Al Quran, 5:32.

e. 'Whosoever saved a life, it would be as he saved the life of whole people (Mankind)". Al Quran, 5:32.

f. Strict punishment for those who create 'Mischief' in the world. Al Quran, 5:33.

g. "Judge thou between men in truth (and justices). Al Quran, 38:26.

h. Do not oppress any one and do not be oppressed. The Last Sermon of the Holy Prophet Muhammad (PBUH).

6. Conclusion and Recommendation

Under the prevailing global and regional environment of political unrest and economic volatility, most states are undress great stress as regards to their internal security and maintenance of public order. In particular, this threat is widespread and more prevalent in many Muslim countries. In addition to a state's internal reasons, enormous intra-state, transnational, intra-regional and international factors and actors play an important role in creating and perpetuating such instability, chaos and anarchy. Therefore, Muslim states needs to develop common strategies, based on Islamic teachings and norms to handle all such threats. They also need to cooperate with each other to strengthen their state's security and collective security of all Muslim states. ASSAM, through its conferences, can highlight the significance of such importance aspects of statecraft, while forging the spirit of Islamic unity and solidarity. Based on discussion above, I wish to make following recommendations:

a. The finding, conclusions and recommendation of this (ASSAM) Congress should be shared with the OIC, all members the OIC for evaluation and seeking input to develop commonly accepted and agreed 'Principle and Standards for Internal Security and Public Order' by all Muslim states.

b. This recommendation should also be shared with prominent think tanks, universities and civil society organizations to seek their critique and comments.

c. On receipt of above input, ASSAM should incorporate these into its recommendations and share the same with all members of the OIC for implementation at national levels.

d. The OIC should appoint an 'OIC Ombudsman for Human Rights, Internal Security and Public Order' who must exercise an oversight to formulation of various national policies in this regard and their implementation as well. The Ombudsman should also ensure that all national policies correspond to international norms and treaties, while ensuring that no such provision violates Islamic teaching and principles.

e. The OIC may also constitute a Committee of Ministers of Internal Affairs, who oversee the national policies pertaining to internal security and public order. This Committee should meet once a year, or as and when required, to review the implementation of internal security threat and response mechanism at Ummah level.

f. Intra-state cooperation on internal security matters and intelligence sharing to counter threat, especially posed by groups that are operating on transnational level, must be encouraged.

To conclude, the OIC should develop an 'Islamic Convention on Internal Security and Public Order' and forces all member states for its strict implementation. Since each state has her own national interests that, at times, differ drastically from each other and there are historical rivalries among some states that hinder intra-state cooperation among the world, such efforts would face great difficulties. However, if common sense and collective interests prevail over petty national / state interest, all such efforts can produce very appreciable outcomes.

AUTHORITIES AND RESPONSIBILITIES OF THE MINISTRY OF INTERIOR OF THE ASRICA ISLAMIC COUNTRIES UNION (LOCAL GOVERNMENT AND SECURITY IN CITY, RURAL, COAST AND BORDER AREAS): ASRICA CONFEDERATION LOCAL GOVERNMENT

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Abstract

The local government system has been known for a long time, but it did not take its legal form and official character until after the establishment of its modern national state; the increase in the burdens of the modern state on its citizens has made it inevitable that some of these burdens should be transferred or authorized to local units.

Local government did not have academic studies until recently. At the end of the nineteenth century, interest in this field of science began by public lawyers and politicians. Local government studies became an independent science as a branch of public law studies, and local government dealt with its systems within the stages of tribal formations, regional governments, empires, feudal systems and finally the modern state system.

Before the start of the Gregorian calendar, India introduced a system of local councils representing a number of villages. In the countries of ancient Greece, there was a self-sufficient independent political unit, a city-state system consisting of a number of villages, a number of tribes in villages, and their tribe was the basic unit on which human society was based, and such a system is considered ideal if it achieves self-sufficiency and Autonomous Administration. Regional Governments emerged as tribal rivals when federations of some small local formations were later formed, exerting their influence over regional formations that took the village and city and outstripped them in population, taking the form of central monarchy.

Then came the rule of the aristocrats, and then came the rule of the people. Regional governments expanded to form empires, and thus the convergence and intertwining between centralization and decentralization continued. However, the beginning of empires brought with it an extreme centralization to expand their authority over the geographical area, and the homogeneity of their cultural and spiritual populations led to the dominance of unity factors against division. With the opening of the old and middle empires to various peoples, regions

and races, the idea of local government once again rose against the empires and with the weakness of the feudal system, cities and small regions came new alternative systems to the empire.

The new form of the national state emerged with the British and French states and spread rapidly in the modern world as the heirs of the old empires and their feudal emirates founded on their ruins; decentralization emerged as an administrative philosophical idea with the French Revolution of 1789, it later spread to Europe and the rest of the world, including the Arabic world.

To secure the loyalty of the French provincial governors, the central government replaced them with loyal central officials; Later, the principle of decentralization in government emerged to alleviate the severity of centralization.

The federal system is therefore the origin of a large state made up of small entities.

As for the local government system as a legal phenomenon, it dates back to the nineteenth century; In England, there were no local councils in towns attended by citizens before 1835, perhaps the first legislation enacted in this area was the Reform act of 1832, followed by legislation regulating local government. In France, local councils were not established until 1833, and these councils were not given the right to make administrative decisions until 1884.

Keywords: Local Government, ASRICA, City Security, Rural Security, Coastal Security, Border Security.

1. Foreword

Researchers agree that local government is a form of local organization in which administrative duties are distributed between the central government and elected and independent local bodies, performing functions under the supervision and control of the central government and performing tasks that are accountable to these units and that complement the mission of the central government.

Local government emerged as a system in the late nineteenth and early twentieth centuries as a natural consequence of the quantitative expansion of the functions and duties of the modern state; Although there have been systems that have taken this form of government for centuries, the rooting of the term local government does not reach until the nineteenth century.

With the Administrative Reform Law passed in 1832, Britain became the first to implement the local government system in Europe, while Egypt became the first Arab country to implement this system.1

The United Nations believes that local government is a system of public administration and an administrative tool to help the central government carry out its mission more effectively and efficiently. In this way, it encourages the transfer of certain powers and features from the central government to the locals to fulfill their responsibilities within the framework of the distribution of job roles and the division of labor between the central and local levels.

The local assembly is defined as an elected assembly in which the local unit is concentrated and subject to political responsibility before the electorate of the local unit and is regarded as a complement to the state body.

Or it is the government made up of a group of people for a particular place, elected from the elected local people, that takes charge of the local government called the assembly; Local governments are made up of officials who receive a salary and make decisions made by the assembly.

The distribution of administrative function between the central government and elected or local bodies; The most important feature of this definition is that the election direction and focus is the supervision and control of the central government, and it focuses on the exercise of judicial authority under the government's supervision and control.

The local government has a legal personality that determines its independence from the central government, ensures its recognition and gives the right to take all kinds of legal actions by acting effectively, gaining rights and assuming obligations; it must also have financial

responsibility, be independent of its founder and members, and have a legal personality that sues others before the law.

It is the election of a Local body according to certain criteria that represent it before the central government, since it is impossible for the local residents to assume their duties collectively.

It is independent and subject to the central government and the oversight and control of the local government's work; thereby ensuring that the business operates in accordance with the general objectives and policies established to fulfill the needs of local people in accordance with the legal provisions defining the tasks.

The local government system has been known for a long time, but it did not take its legal form and official character until after the establishment of its modern national state; the increase in the burdens of the modern state on its citizens has made it inevitable that some of these burdens should be transferred or authorized to local units.

Local government did not have academic studies until recently. At the end of the nineteenth century, interest in this field of science began by public lawyers and politicians. Local government studies became an independent science as a branch of public law studies, and local government dealt with its systems within the stages of tribal formations, regional governments, empires, feudal systems and finally the modern state system.

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Regional Governments emerged as tribal rivals when federations of some small local formations were later formed, exerting their influence over regional formations that took the village and city and outstripped them in population, taking the form of central monarchy.

Then came the rule of the aristocrats, and then came the rule of the people. Regional governments expanded to form empires, and thus the convergence and intertwining between centralization and decentralization continued.

However, the beginning of empires brought with it an extreme centralization to expand their authority over the geographical area, and the homogeneity of their cultural and spiritual

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populations led to the dominance of unity factors against division. With the opening of the old and middle empires to various peoples, regions and races, the idea of local government once again rose against the empires and with the weakness of the feudal system, cities and small regions came new alternative systems to the empire.

The new form of the national state emerged with the British and French states and spread rapidly in the modern world as the heirs of the old empires and their feudal emirates founded on their ruins; decentralization emerged as an administrative philosophical idea with the French Revolution of 1789, it later spread to Europe and the rest of the world, including the Arabic world.

To secure the loyalty of the French provincial governors, the central government replaced them with loyal central officials; Later, the principle of decentralization in government emerged to alleviate the severity of centralization.

As for federation, it emerged with the theorists of the American Revolution against British colonialism in response to the United States' desire for political unity between states that some aspects of political independence survived; therefore it is considered a federal system. For this reason, it is considered the origin of the establishment of a large state from small formations.

As for the local government system as a legal phenomenon, it dates back to the nineteenth century; In England, there were no local councils in towns attended by citizens before 1835, perhaps the first legislation enacted in this area was the Reform act of 1832, followed by legislation regulating local government.

In France, local councils were not established until 1833, and these councils were not given the right to make administrative decisions until 1884.

2. First Research: Historical Development of Local Government Systems:

Every social organization contains the existence of an authority, as old as human societies, with commands and nuclei that bind individuals, and the forms of this power varied according to the variety of conditions of place and time; The most prominent political organizations known to mankind were elements of centralization and decentralization combined with the superiority of one over the other, and they developed as follows:

a. Tribal Organizations

They are represented by tribal governments, the oldest forms of authoritarian regimes, local in nature; it is centered around towns and villages and has established its authority mostly on the

basis of blood ties, geographical proximity, or common economic interests; chiefs of tribes form tribal councils, among the most prominent examples (ancient Egyptian city governments and India).

b. Regional Governments

Representing the unification and union of some small entities (optional or compulsory), regional governments initially took the form of centralized monarchies, giving way to the people of cities and villages to run their own business.

c. Empires

Regional governments expanded and empires formed (the marriage of centralization and decentralization). Initially, the system of government tended towards extreme centralization and the diversity of cultures and the idea of local government strengthened.

d. Feudality, Cities and Small States

As time passed and empires entered their aging stages, the system of fiefs, cities, and small provinces reigned again.

e. Nation-State (British and French)

Reasons:

1. A group of great leaders.
2. Evolution in Transportation.
3. Ongoing wars between neighboring states.
4. There are several theories of the emergence of the state (social contract, power or family development, historical development).
5. It has columns (people, region, governing political body).
6. With its establishment, it took on the character of political and administrative centralization.

State functions saw sharp developments and decentralization emerged because of the lack of administrative focus.

a. Empires.
b. Feudal system.
c. Modern state system.

The development of state functions led to the emergence of decentralization and a lack of administrative concentration.

3. Reasons for the Implementation of the Local Government System:

First: Political Reasons

1. It is a manifestation of democracy.
2. A means of involving citizens in the government of their local facilities and expressing their local selves.
3. A field to train and prepare future local leaders.
4. It supports cooperation between local government and state authority.
5. It manages diversity well.
6. Supporting a solid democratic trend at the local level

Among the advantages provided by the local government system are:

a. Efficient cooperation between government activities and public activities.
b. It connects local and central bodies.
c. Proximity of citizens to government.
d. To push citizens to work for local unity.
e. Active participation in the protection of security, order and law.
f. Adopting a form of regional decentralization that would provide some form of autonomy for minorities without compromising the political unity of the state, thus local government would strengthen the political structure of the state.
g. Reducing the burden on the central government.
h. Local units are considered as a field of experimentation used by the central authority to examine certain policies at the local level and to know the effects of their implementation and the extent of the response to them.

Second: Administrative Reasons

The local government system is seen as a technical and administrative requirement due to the benefits of implementing this system.

1. Eliminating the bureaucracy that accompanies the centralized system.
2. Taking local conditions into account when providing services.
3. Changing performance patterns from one local unit to another.

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4. The local unit is a testing ground for determining the feasibility of implementing new administrative methods.

5. The local unit is considered the administrative body that, in cooperation with the political organization, conveys the popular understanding of the need to bring about fundamental changes in the system of government.

6. Having the local unit run by the locals, the people most skilled at understanding and solving their problems, doubles the efficiency at completion.

Third: Social Reasons

1. Individuals take their local needs and satisfy their desires.

2. Developing services at different levels and thus to improve social life.

3. Strengthening the social structure of the state by realizing the principle of social participation by distributing positive forces among individuals instead of gathering them in the capital, brings them together and leads to possible progress in the cultural, artistic and military fields.

4. Exploding the creative energies of the local community.

5. Strengthening the spiritual bonds between local individuals by including them in possible work areas.

Forth: Economic Reasons

1. Finding new local financial sources.

2. Ensuring decentralization of production.

3. Equality in the distribution of tax burdens.

4. Ensuring economic and social development.

5. Ensuring public participation in the implementation of local development programs.

6. Ease of making development plans

4. Advantages and Disadvantages of the Local Government System

There is a group of writers who downplay the administrative and political importance of the local government system because they see it as an exaggeration to say that the local government system works to reinforce the democratic principle... A majority cannot be achieved in the elections, and it can be answered that this is a deficiency in the electoral system, not in the emergency management system itself. In addition, the fact that local agencies are next to central agencies leads to many negativities and contradictions; the lack of administrative experience

can be answered by the lack of local public interest, the presence of central control as well as the control of the masses and the modernity of the system.

Also, the advantages of the local government system are not achieved automatically with the application alone, but require a lot of effort regarding:

- Preparation of technical and administrative personnel.
- Developing public awareness of the importance of local government.
- The need for local community involvement.
- The influence of central control over the local council.

5. Variables Taken into Account to Measure the Degree of Independence of the Local Government and its Exercise of Real Powers:

1. Size of functions.
2. Voluntary authority of local bodies.
3. Authority to make successful decisions.
4. General job description.
5. Legal method taken for the establishment of the local unit (constitutional-legislation).
6. Ratio of the total expenditures of local governments to public expenditures.
7. Number of local levels (one more level)
8. Ratio of total revenues of local administrations to public revenues and their ratio to state aids.
9. Modernity of the manpower in the local organizations and the ratio of the manpower working in the central government.
10. Percentage of the size of the local unit.

6. Fundamentals of local government

1. Existence of different local interests:
2. For the establishment of the local government system, different local interests are necessary, which concern the majority of the people of the region and not all the citizens of the country; this requires them to take responsibility for managing their business.

7. How do these local interests arise?

It arises as a result of the merging of the interests of a group of individuals living in a certain geographical area, this bond leads to the formation of a kind of social solidarity among themselves and the state to recognize these local interests and leaves its administration to independent local units.

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8. What conditions must be met for the interest to acquire a local character?

1. That the concern reflects the needs, hopes and aspirations of the vast majority of the local population.

2. It should not contradict or conflict with the higher interests of the state.

9. Methods of determining central and local interests:

1. The legislator determines the powers of the central government and, accordingly, the rest of the powers to be exercised by local governments.

2. The legislator determines the special powers exclusively for local governments and other powers are left to the central government.

3. Some local government systems may find that the interests of the high society require that the overall policies of these local interests be held under the control of the central government.

10. Legal Entity of Local Unit

Acknowledging the existence of different local interests of the local unit requires the granting of legal personality to the local government based on these interests, if this condition is not met, the local government ceases to exist and is considered a branch of the central government.

Legal entity is a natural result of decentralization, and the law has given the rights of a natural person and imposed obligations on it in order to protect the interests of administrative persons other than the state. Among the consequences of granting legal entities to local units are:

a. Expressing the will of a legal entity.

b. The local unit has fiscal responsibility independent of the fiscal responsibility of the state and the fiscal responsibility of the other local unit.

c. The local unit has the authority to take charge and acquire rights.

d. The local unit is eligible to sue.

e. The local unit has its own administrative body.

f. The legal entity of the local unit is terminated by the same or higher document in which it was established.

11. Administrative independence:

This means that the local council must be independent from the central government in carrying out its administrative functions, whether the members of the local councils are simply elected by election or by appointment by the central government without affecting the administrative independence of their units.

12. Oversight of central government:

Since the independence of local units does not mean their dissolution from the control of the central government, the central government remains the main legal entity with the highest control over all national territory and must operate within the general policy and framework of the state; To say otherwise would endanger the unity and political fabric of the state. There are a number of environmental factors that affect local government systems, including:

a. Social Factors

It refers to the nature and composition of a society, such as the existence of urban, rural or tribal groups, the common ties between its members, whether it be kinship, interests, creed, occupation or neighborhood, and the constituent classes of its members such as the rich, the poor, the educated, the illiterate, natives, and expatriates. It is the dominant social system that determines whether the society is harmonious, heterogeneous or equal, open or closed, etc.

b. Political Factors

The miniature political systems of the political system of the state, their similarities are as follows:

1. Presence of three pillars (region, people, governing authority).
2. The nature of decisions made by constitutional institutions in state and local assemblies (the result of a series of bargaining and compromise calendars)
3. Distribution of authoritarian resources and values in crimes.
4. The nature of each is the political functions performed by any political system with its own political conditions.

c. Economic Factors:

The character of power in a group is often influenced by the characteristics of that group's economy.

1. Simple Societies - Democracy.
2. Pastoral Societies - Genetic Leadership.
3. Power systems developed when advanced agricultural and pastoral societies were monopolized by large landowners.
4. The local economy affects the authority structure.
5. Local assemblies are under the control of large social classes with economic potential.
6. The extent of self-confidence.
7. Professionals.

8. Average individual well-being.

9. Working status.

d. Geographical And Spatial Factors:

1. Nature of the climate.

2. Availability of water.

3. Land quality and productivity.

4. Availability of minerals.

e. Population Factors:

It expresses the distribution of the population in the region in terms of urban and nomadic, educated and semi-educated and illiterate, male and female, age, total number and specialization; these differences have a significant impact on the effectiveness of local government.

f. Cultural Factors:

It is the product of public and private education, norms, values, customs and traditions, and their level determines the quality of authority prevailing in the region.

g. Historical Factors:

The traditions, customs and origins of the local community stabilize political situations and their systems are similar to those of societies with the same or recent history.

13. The Components of Local Government Systems Are:

1. Region (spatial division of power).
2. Financing.
3. Participation of local citizen.

14. First Research: Local Area

There are three views regarding the spatial distribution of power.

First: There are those who see that local government units are natural political creatures that represent the repository and seat of power.

Second: There is no place for the local government system in the political structure of the modern state, which expresses the general will.

Third: The spatial distribution of authority is an important sign of making room for local government to support the authority of the modern state.

a. Regional Forms of Local Government

First: Provinces / States

It is a relatively large geographical area that includes a number of cities and villages grouped together to save costs and facilitate planning.

Second: Cities and Capitals

The city is the most important local unit in contemporary society and has large, medium and small size, area and population and has neighborhood assemblies.

Third: Villages / Rural Areas,

It is smaller than the city and a village council can be formed that includes all neighboring villages, but it is better to include its members in the city.

b. Standards For Dividing Local Administrative Units:
   1. The ability of citizens to perform basic services.
   2. Ensuring citizen cooperation with these local units.
   3. Continuous improvement to increase the productivity of the employees of these units.
   4. Ability to adapt to innovations and willingness to improve.

Some argue that some of the existing local units are not capable of meeting these requirements for the following reasons:

1. Divisions do not fit people's lifestyle (work-housing)
2. Divisions are inconsistent with the advantages of mass production.
   c. Factors Affecting the Geographical Area in Which the Local Unit is Spread
      1. Environmental factors
      2. Historical factors
      3. Traditional factors
      4. Administrative factors
      5. Representative factors

15. Second Research: Centralization and Decentralization
The success of regional planning towards the desired objectives such as poverty alleviation, reducing economic, social and regional disparities, and ensuring horizontal and vertical coordination between planning bodies at different administrative levels and the superstructure and infrastructures necessary for the successful and effective implementation of regional

development programs and projects is about the extent to which governments and countries are successful in providing basic needs by drawing on the experiences of different nations in the fields of regional planning and regional development.

Realization of regional balance, starting from the fact that the distribution and monitoring of resources in a society is closely related to the distribution of decision-making power in that society; It is necessary to reduce the social and economic differences between regions, to optimize the use of resources and to distribute the decision-making power among development planning institutions and organizations at different administrative levels.

Decentralization transfers decision-making, planning or administrative authority from the central government to state entities and identities in the area or at the regional and local administrative level, or may delegate these powers to administrative units or semi-autonomous or private entities in different regions and population groups.

The practice of decentralization is an ideological principle that depends on a political decision and the nature of the political process in the countries; works to achieve the principle of public participation alongside the principles of decentralization, self-sufficiency and decision-making democracy; in fact, the call for the implementation of administrative decentralization was linked to only a few reasons: -

    A. Centralized administrative systems are a legacy of colonialism that came to tighten control over colonized countries and facilitate the exploitation of their various natural resources.

    B. Development in previous decades has shown that development can not only be achieved from above, but also from below and with the active participation of target groups.

    C. The development process is complex and knotty, and it is not easy to plan, implement and follow through the center.

As for the reasons that motivated the demand for the decentralization process, one of the studies summarized them.

- Decentralization of planning states that central state planning bodies are constantly living with problems, are aware of and have a good understanding, thus transferring a significant part of their authority in this field to employees and field officials; this is to facilitate linking the multiple and conflicting needs of different regions and segments of the population.

- Fair distribution of resources within a country

- Developing familiarity and knowledge through direct contact with local people provides accurate information.

- Reaching remote areas

- There is no broad public participation in religious, political, social, ethnic and tribal development decision-making processes to ensure the highest degree of equality, hence the monitoring and allocation of government resources.

- Developing expertise and skills by developing government procedures and renewing new assignments through local governments and private institutions in regions and administrative units.

- To save central governments from their routine work and transfer them to local governments.

- Facilitating the exchange of information on local needs between local communities and government ministries at the center

- Besieging local elites who often do not comply with national development policies and do not care about the needs of poor rural population groups

- Flexibility helps identify obstacles or problems to be encountered before implementation of development projects.

- Highlighting the role of local leaders in localizing services and using them effectively within the community

- Contributing to political stability and national unity by providing the opportunity to participate directly in development decision-making processes, which in turn increases the role of the masses in the political system.

15.1.   Decentralization and Its Levels

1. Distribution of tasks
2. Appointment (independent popular authorities)
3. Delegating tasks
4. Transfer of planning tasks from the state to non-governmental organizations
5. Popular attendance

Factors affecting the choice of centralized and decentralized system.

1. The pace of change in activity
2. The number of jobs or operations affected by decisions made at lower management levels.

3. The extent to which the principles of division of labor and specialization are followed.

4. The amount of government intervention

15.2.   Advantages of Decentralization

1. To save senior administration from pressures that may come from employees or consumers.

2. Achieving speed in decision-making

3. Ensuring harmony between senior administration and other administrative levels

4. Convergence of lower administrative levels as they are closer to problems.

5. Informing and raising employees' morale on lower levels of fairness

6. Developing the leadership abilities of lower administrators

7. Bridging the gap between managers and achieving direct communication

15.3.   Conditions of Decentralization

Reassuring administrators of their ability to make wise administrative decisions.

Delegation of authority in decision making to those with lower positions close to the truth

True delegation of full authority

Sharing of the general objectives set, general policies, the current organization and the relationships between the agencies.

Centralization in planning and decentralization in practice

15.4.   Pictures of Decentralization:

a. Political Decentralization (Federal System):

It is based on the distribution of legislative, executive and judicial powers between the central government in the capital and the governments of the member states. In other words, political decentralization is a governance method related to the distribution of political powers (legislative and judiciary), which are the basic functions of the state.

b. Administrative Decentralization:

The objective or territorial distribution of the administrative function between the central organs of government and other persons of public morality.

c. Facility Decentralization:

Establishment of independent bodies, whose powers are determined objectively, these powers are exercised at the level of one region or several regions, or at the level of state (public institutions).

16. Third Research: Financing of local government:

Local finance is considered the most important component of local government and without it local units cannot function. Self-financing by local governments is important when considering:

To support the principles of local government and reinforce its concepts by emphasizing the responsibilities of people in local units belonging to local governments or in local communities; It represents those who finance and benefit from local services, as it is responsible as a member of the local council and contributes to and benefits from the budget of the local administration. This dual responsibility increases the local councilor's vigilance for local needs and motivates him to work to meet them without extravagance.

It makes the councilor strict in controlling the expenditure of the funds collected by the council. It encourages the councilor to increase the efficiency of the service to please the public.

16.1. Fundamentals of Local Finance

It refers to the set of rules on which successful domestic financial policies should be based.

These principles are divided into two groups:

First group: Basic information about the nature of local resources and the conditions under which they should exist.

Second group: Fundamentals of financial management of local resources.

16.2. Principles on the Nature of Local Resources:

a. **Ease of Managing Local Resource:** It aims to facilitate the estimation of the local resource pool, the cheapness of the collection cost and the relative abundance of their revenues. It means the adequacy and flexibility of local resources.

b. **Local:** That is, the entire local resource pool is covered by the local volume that collected it; It is as different as possible from the central tax pool, such as building taxes etc. appropriate to the local government, because each falls entirely within the scope of the local unit. Income taxes are not considered appropriate for local administrations because it is difficult to determine the scope of the locality.

c. **Self-Management of the Resource:** This means that the local authority is independent in estimating the tax rate (within certain limits), tying it, collecting it, and

monitoring/spending, so that it can reconcile its financial needs with the outcome of the resources available to it.

d. **Justice:** To distribute local burdens fairly to local citizens.

e. **Political Expediency:** In other words, the local government has the power to impose a political burden.

16.3. Fundamentals of financial management of local resources:

The financial administration should be able to implement the financial policies of the local unit in terms of:

A. Connection and aggregation management.

B. Optimum use of resources.

C. Maintaining control over this use.

16.4. Local Sources of Financing

1. Self-Income for the Local Unit:
    A. Taxes.
    B. Fees.
    C. Exploitation income.

2. External Sources:
    A. Credits.
    B. Subsidies.
    C. Wills.

First: Local Taxes

Local taxes are a legal method for the annual distribution of the public burden among members of local units, each according to their own capacity, regardless of the benefits that accrue to them personally from the services provided by the local government. Local tax is defined as the money that the local unit collects from its citizens forcibly, regardless of any other issue, provided that these amounts are allocated for the performance of public services.

Advantages of Local Taxation

A. The imposition of the tax deepens the concept of democracy among local councilors because the component of costs is linked to the performance of taxes and representation; this allows financiers to have a say in the way their money is spent. This responsibility prompts them to scrutinize the selection of the most appropriate elements to enhance

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their expression of opinions, to be honest in their out-of-pocket spending, and to tighten their control over the work of the assembly and monitor its activities.

B. Raising the public's sense of responsibility, as the general public evaluates services by comparing them with the financial burdens they bear, moreover, a slight increase in the tax rate, since the expenditures of local governments are directed towards services that affect almost all individuals; this increase causes people to wonder what they will get from additional services in return.

Local Tax Types

Building Taxes: It applies to the ownership or tenants of the constructed real estate.

Entry Taxes: It applies to Wages, Salaries, commercial and industrial profits.

Taxes on Certain Goods: Like cars and transportation in local areas.

Services financed from tax revenues are services necessary for the survival and development of society (such as education services and health care) and services that must be provided to the public, no matter how high the cost; since these services are essential to the public, the entire population, beneficiaries and non-utilitarians, must bear the burden of each according to their capacity; therefore, these services are financed from the revenues of various taxes in order to realize a public good.

Third: Exploitation Income

It is "the local unit's income in the form of rent or income for real estate funds or profits from its economic projects" and is available in many developed and developing countries; they differ in purpose from wages because wages are aimed at providing a service, while extractive income is aimed at generating rent.

Forth: Local Credits

The amounts obtained by local units by applying to the public, banks or specialized credit institutions in return for a commitment to return the value of the loans according to the conditions specified in the loan agreement, and are used in the financing of investment projects with insufficient regular budgets; in many countries projects need to be efficient and have government approval, and they can be internal or external.

Fifth: Subsidies

Anything that local units receive without any money or convenience from others, includes subsidies from central government, individuals, and private institutions, whether internal or external, including gifts, bequests, personal efforts, and donations.

One of the purposes of the subsidies is to ensure that its policy is subject to priorities and coordination between local policy and national economic policies, and that the central government ensures that there is a minimum level of basic public services for all citizens and to provide oversight; this ensures the quality and level of services and overcomes the phenomenon of resource inequality between localities.

17. Functions of Local Authorities

In the local government literature, it is accepted that the powers of local governments are limited to managing public services of a local nature; as for public services of a national nature, the central government is tasked with realizing and spending them. There are criteria for distinguishing between facilities of these two sectors, including:

First: Standard for direct use of the facility: Of course, if the service benefits all residents of the state, it is a public service, but if the beneficiary is a local community, then it is a regional public service.

Second: Standard on cost: If it is exorbitant, the central government is responsible for it and it becomes a public service.

Third: Administrative homogeneity standard (stereotyped): The general facility is where homogeneity prevails in administrative performance.

Forth: Service Standard: If the nature of the service offered by the facility requires the observance of special customs, it is better to be Local.

Fifth: Standard of technical competence: When high technology and technical competence is required, it is better to centrally manage the plant so that it can provide it.

Sixth: Historical standard: If the nature of the service in the region is historical, it is preferred that the facility be local (such as Hajj and Umrah activities).

18. Mechanisms for the formulation and implementation of local policies

Local government bodies:

Local government bodies consist of two main authorities similar to the powers and organs of the state.

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Warm authority: decision authority: (local council, municipal council, national council). It is represented in making local policies and issuing orders, decisions and regulations, and this authority is represented in the state-level mandate of Parliament.

Second authority: Executive authority: (The governor is called the prince). They are assisted by a group of officials who assume direct responsibility for the state and are subordinate to local policies, akin to the state-level executive authority.

19. Decision-Making Authority in Local Government
19.1. Local Council

Local assemblies are a group of individuals with responsibility for setting, implementing and supervising local policies and are also considered the best example of democracy. It is divided into a single-chamber system and a two-chamber system: While the majority of countries have adopted a unicameral system in the management of local units, the United States has adopted a bicameral system similar to Congress at the federal level.

The arguments of the leaders of the bicameral system see the need to represent the city districts or parts of the local unit separately, to allocate the local tribal council and the interests of the city as a whole to the second council, similar to the House of Representatives, ensuring that power is not abused.

The size of the local council: It varies according to the size of the region, the number of inhabitants, its geographical location and the prevailing political philosophy in the country. Appropriate real size is not its large or small size, but its effectiveness in fulfilling the tasks assigned to it by the central authority in the state.

The number of local council members varies from one country to another and from one local unit to another within the same country. Determining the optimal size depends on the variants:

- The extent of the council's ability to represent interests.
- The extent of parliamentary ability to communicate with citizens.
- The extent of the assembly's ability to carry out the volume of work entrusted to it.
- The extent of the assembly's ability to plan and administer.
- Emphasize the responsibility of elected members to citizens.

19.2. The relationship of local units with the central government

It is known that although the members of local units are elected by election, they are only executive, not legislative.

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In all its forms, it is subject to the control of the central authority, the control of the judiciary, the control of the legislature, and the control of the citizens and their various organizations.

This relationship does not border on oversight, but extends to areas of support and cooperation, so it resorts to the involvement of local agencies in many specializations and the opening of branches in areas of their hierarchical subordination.

19.3. The Presidential Role of Central Authorities

Central government controlling local units aims to achieve several main objectives:

1. Political purpose, which means to ensure and protect the unity of the state.
2. Administrative purpose, which means good management of facilities and unity of direction.
3. To provide the system of local unions with the laws, decrees and general policy of the state.

19.4. Forms of Control Over Local Units:

First: Legislative Audit

This means that all local units are subject to the control of the legislative authority that establishes them and determines their powers.

Second: Judicial Audit

It absolutely eliminates the legality of the activities carried out by the local units and does not interfere except for a special request.

Third: Executive Audit to Local Government

Local units have various forms, such as monitoring their members, their work, and the extent of their commitment to decisions made by the central government.

20. Fourth Research: ASRICA Confederation Local Government

Given that the confederation is based on a group of expanding nations, most of which are in Africa and Asia; Considering that the nation of Islam is spread over five continents, whatever its location is Muslim, the nation of Islam stretching to the east and west of the World is considered part of the Muslim. The important thing is which system is suitable for this nation.

- Decentralized system
- Federal system based on local government
- Loyalty system

Since the federal system is based on the distribution of authority and autonomy between the center and the states, each according to its own expertise, it is suitable for allocating material and human resources to achieve true local development that takes into account all their needs. The Muslim nation and its scattered countries.

- Each region has its own civilization and cultural heritage suitable for the local environment.
- Capabilities and possibilities vary from one region to another
- Different cultural and social level
- The administrative and organizational level are different.

However, optimal use of this variety

- Provides necessary integration and diversity
- Finds interactions between different people
- Provides a mix of cultures and civilizations
- Allocates resources in proportion to the development goals
- Provides needs according to requests
- Reinforces the concept of one nation
- Ensures equality and advocacy for Muslim issues
- Overcomes the challenges that stand in the way of the development of these societies

21. Local sources of financing for the ASRICA Confederation
21.1. Optional accumulation

It is the portion of individual income that the individual decides not to spend or save on goods and services of his own free will and takes the form of accounts in banks or savings funds and is represented in the savings of such family, private and government sectors.

a. Family Sector Accumulation

It represents the difference between the income generated by the industry and the expenditure it spends on consumption and takes many forms such as bank balances, savings funds and direct investment, especially in the purchase of real estate or agricultural investment; This accumulation depends on factors including: The level of income and its distribution, the level of economic activity of the state, the degree of development of savings consciousness and the rate of inflation. It depends on the level of activity of savings institutions, their organization,

their spread to many parts of the country, the diversification of savings containers, the fight against hoarding and the rationalization of consumption.

b. Business Sector Accumulation

The size of these accumulations depends on the volume of activity created by this sector in the formation of national product; it usually includes thrift companies and institutions, the financial policies used, how profits are distributed, marketing methods, pricing policies and size of costs; the unregulated sector includes retail stores, workshops, factories and small farms, whose savings are hard to predict.

c. State Accumulation

It represents a surplus of revenue when the volume of government revenues is greater than the volume of its expenditures; this means that raising the level of government savings requires increasing the current public revenues to a level that will provide the financing capacity of the national economy and reducing the current public expenditures without prejudice to the course of economic and social life.

In general, it can be said that government savings are characterized by decline in different countries due to insufficient incomes, increase in population growth rate and irrational government expenditures.

21.2. **Mandatory accumulation**

It is the part of the income that is necessarily derived from individuals and projects; this form of accumulation is considered effective in stimulating the country's economy with the possibility of controlling its amount by using appropriate financial instruments, for example taxes.

a. Taxes

It is the main public instrument of financing basic public services; Governments often resort to it because it is the best way to provide the necessary savings for investment transactions or infrastructure expenditures, and it is one of the most effective tools in fighting inflation.

It is the nature of the economic statement that determines the tax structure; the fact that the economies of developing countries depend on the export of a single crop not only makes the sources of public revenues limited but also causes instability due to the fluctuation in international markets.

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It can be said that tax policy bears a great responsibility in supporting the development process; There is no doubt that reaching the maximum tax capacity does not mean that the national economy has exhausted its financial capacity as the government can still apply for public loans.

b. General Credits

The state usually resorts to credits to finance some expenses such as wars, emergencies, dam and reservoir construction and to mobilize economic life by using it in some productive projects.

21.3. External Financial Flows

The reality is that domestic sources of finance in underdeveloped countries cannot provide the savings necessary to finance the investment needed to maintain an adequate rate of development; Therefore, if the government wants to avoid monetary inflation risks or reduce current consumption, it seems inevitable to import capital from abroad to get out of this deadlock. External flows take two main forms:

1. Private financial flows
2. Official aid

Private financial flows are rate-of-profit business operations that take on two main aspects: Loans and private investment.

21.4. Private Loans

These loans originate from three situations: export credit, borrowing from private commercial banks and subscribing to bonds.

21.5. Foreign Investment

It is divided into two as direct investment in projects fully or partially owned by foreigners and indirect investment in stock portfolio in a way; Despite the importance of these investments for development, they still rank low among international sources of finance for a variety of reasons, including:

1. The experience of nationalization of foreign ownership in developing countries has hindered the movement of foreign capital to produce industries produced for the domestic market, and the preference of foreign capital to invest in the two sectors of mining industries on the grounds that the profits expected from them are not attractive due to the small national market and the weak purchasing power of its citizens.

2. Official development assistance: It is defined as any capital flow to less developed countries that is not driven by the commercial profit motive of the helping country; therefore, it includes special grants and long-term loans other than military aid, as it is not for development purposes. While pure grants are given for free, loans place heavy burdens on the state budget, but the promotion of loans as economic aid is due to their easy terms in terms of length of repayment period and low interest rate.

21.6.   Other Ways to Finance Local Development

- Zakat and alms
- Donations and grants

22. Conclusion and Recommendations

22.1.   First: Results

1. The Islamic Ummah is spread over five continents but is bound together by the unity of principle and destiny.
2. The proper management of these societies is represented in the federal states.
3. Regional and cultural diversity is a source of wealth in terms of information and resources.
4. There are geopolitical and other obstacles to realizing the dream of common unity.
5. A positive focus on power factors will lead to the desired renaissance.

22.2.   Second: Recommendations

1. The need to work on diversity in connecting the parts of the nation.
2. The importance of activating associations and unions as important institutions in ensuring unity
3. Finding ways to converge and meet to get the most out of diversity
4. Making different challenges into powerful and motivating factors
5. Making the most of the country's massive backlash

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JOINT INTELLIGENCE MODEL FOR COMMON PUBLIC ORDER AND SECURITY OF MUSLIM COUNTRIES WITHIN THE CONTEXT OF NATO

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Abstract

Muslims constitute a significant proportion of the population demographically, along with spreading over a wide geographical area around the world. The fact that these people, who stand in key positions in the most important geographies, unite in the same direction has always given them strength both materially and spiritually. After the collapse of the Ottoman state, Muslims faced problems that had not been experienced before until today. The Islamic World has experienced the pain of being without a head and unity in the last hundred years with the experiences of those who stepped into its lands. The fact that every community that was able to establish a state among Muslims had to grapple with their own problems in their own region had dire consequences.

The aim of the article is to try to deal with the joint intelligence model for common order and security on the way to Islamic unity. The main reason for considering this model is that this method has been successfully demonstrated and continued at the point of applicability. In the article, it is aimed to determine the strategic necessity of the joint intelligence model that Muslim states can benefit safely and rapidly among themselves. The main source of the article will be the explanations of the institutions and organizations in the articles published in the monthly journal of NATO, one of the most important international institutions in the world, and the information presented to the public opinion.

Keywords: NATO, Muslim, Security, Common Public Order, Joint Intelligence.

1. Introduction

There are many issues standing in the way of Islamic Union. Unless steps are taken to resolve these issues, it will not go beyond being a topic. We can see that the Islamic union has always preserved its vitality in the minds of the disintegrating Muslim communities. Faced with different ideologies in almost all parts of the world, Muslims have not completely withdrawn themselves on this issue and have tried to produce solutions with different interpretations. Although this population, which constitutes a quarter of the world today, differs in their acceptances, they are one in their beliefs. However, when it comes to coming together, problems arise on a regional and global basis. One of these problems is the common security and public order problem that the states experience within themselves. If a state cannot ensure public order within itself, first of all, it has lost the most basic quality of being a state, that is, the security provider. The provision of security by the state should be considered as a whole with internal and external factors. Internal and external dangers are of vital importance for the existence of the state.

2. Joint Intelligence

The word 'joint' is used in the dictionary to mean togetherness and partnership. Joint intelligence is generally the delivery of newsworthy information to the center after being critical. Joint intelligence can be between a country's own institutions, or it can be provided by the union of many countries around the center. At the core of intelligence is confidentiality and non-sharing. However, we can see in NATO that information is shared on the main issues due to the fact that the countries that come together are united around defined goals.

Arndt Freytag von Loringhoven, former deputy head of the German Foreign Intelligence Service (BND), was appointed NATO's first Deputy Secretary General for Intelligence and Security in 2016. From this appointment there was a transition to a model similar to the joint intelligence previously implemented in Germany.

Von Loringhoven (2017), in his article, in a globalized, hyper-connected multipolar world, NATO should monitor and evaluate a large number of different threats at the same time: He says the conventional military, proliferation of weapons of mass destruction, hybrid warfare, cyber-attacks and international terrorism are just some of the most difficult. In the continuation of the article, it is stated that it is aimed to combine joint intelligence with civil and military intelligence. It is understood that the realized intelligence alliance is trying to prevent any hybrid form of terrorism, war and cyber-attacks. The main point is to realize and maintain all these in harmony. It is here that NATO's way of organizing and analyzing intelligence has been

fundamentally adapted since 2016, and the Joint Intelligence and Security Division (JISD) has been established. Von Loringhoven (2018) reveals that for the first time at the NATO headquarters of the Joint Intelligence and Security Division, personnel from different professional cultures in the civil and military fields can successfully come together around the joint division.

3. Importance of Joint Intelligence

Countries that have been exposed to terrorist attacks for many years have tended to discipline their institutions under the influence of serious dangers. They are looking for answers that will create a solution to the difficulties of developments in the geographies of the countries and meet their security needs. As a result of these orientations, it has tried to provide faster answers that will allow countries and institutions to meet in a common area, and it is desirable to achieve better results. It has been seen that the internal dynamics of institutions, the effects of bureaucracy and the weakness of inter-institutional communication have painful results.

In order not to repeat these painful results, it has created a joint intelligence network that shows instant continuity between institutions.

The common intelligence network between the institutions accelerates the response to the events that may occur. In this way, news with intelligence value passes from the region to the center. The delivery of the news, the provision of analysis and the realization of the intervention are actively operated as a trio.

4. Joint Intelligence with Muslim Countries

Muslim states and communities have spread in a way that directly or indirectly concerns every state around the world. The security vulnerabilities that will occur in this human community, which extends from Europe to Asia, from the Middle East to Africa and other regions, will endanger a large international area. The distance of the geography should not mislead the minds. It has been seen how the actions in Afghanistan, Iraq and Syria extend into the interior of Europe. This is not a problem that a state can deal with or resolve. It is necessary to analyze the problems that the dispersed population may cause in other regions and to take joint action against it, otherwise the issues that are avoided for solution today may cause greater wounds tomorrow. Despite all the geographical, cultural, economic and ideological differences in the regions where they are located, Muslim countries should evaluate the joint intelligence network in order to ensure the security of their countries.

5. Conclusion

The joint intelligence method has been modernized with the hybrid principles of the intelligence operation style. This method aims to use civil and military institutions together in a more functional and responsive manner. It is important in terms of forming an active and rapid intelligence network among Muslim countries against terrorist attacks.

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CALIPHATE BETWEEN CHALLENGES AND HOPES

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Abstract

The Islamic nation has lived under a single political umbrella for 14 centuries, starting from the era of the Prophet and the Rashidun Caliphate to the Ottoman Empire. Later, with the abolition of the Caliphate and the establishment of nation-states in 1924, the Islamic ummah became the ummah, each with a ruler, flag, national anthem, army, police, government, institutions, authorities, and educational curriculum, which deepened the division among the components of the ummah. Many Islamic countries entered the orbit of opposing alliances, some allied with Washington, others with Moscow. In addition to wars between each other, such as the Iraq-Iran War (1980-1988) and Iraq's invasion of Kuwait in 1990, civil wars emerged with the support of foreign countries in Syria, Libya and Yemen. This situation further weakened the Muslim world, causing several million deaths and tens of millions of immigrants and refugees.

Is it possible to cite the European experience?

Some Islamic voices are calling for the restoration of the caliphate through the establishment of confederal bodies, drawing on the experience of the European Union. During the World War II, British sociologist David Mitrani put forward the idea that the main cause of conflict between European countries was nationalism in a work called "Working Peace System" in 1943; he called for the establishment of integration among European countries, which will contribute to the establishment of a regional peace order with a step-by-step strategy based on the fact that success in achieving integration in the economic and economic aspects will then lead to further integration in other aspects. Influenced by this idea, French Jean Monet argued that Europe should build a transnational entity that unites the common interests of European States and resolves disputes peacefully through supranational institutions so that states can collectively share their sovereignty in these new institutions. Subsequently, the Schumann Declaration on the establishment of the European Coal and Steel Community (ECSC) was issued in 1950 and later took various forms, leading to the establishment of the European Union following the Maastricht Treaty in 1992.

However, the problem facing the call for a similar experience in the Islamic world today; many Islamic countries orbit other international and regional powers in the light of their rulers' efforts

to retain their seats in power, and these countries lack real political independence that allows them to take serious steps to integrate with other Islamic countries. The dictatorships and authoritarian regimes that rule many countries of the Islamic world are also against the interests of their own people and guarantee the interests of foreign countries and the systematic plundering of the wealth of Islamic peoples in exchange for their holding of government seats.

Therefore, every serious step towards integration, in order to be successful in practice, must be directed towards Islamic countries that are governed by regimes that have real legitimacy among their peoples and have concrete political independence. It is then possible to integrate economic integration, build common defense industries, and gradually remove customs barriers. Besides this, it will represent a model that will push the peoples of other countries to pressure their regimes to make serious reforms and ensure the adoption of Legislative legislation and similar convergent education curricula to catch up with the emerging Islamic blocs; without this, calls for the rebuilding of the caliphate will not be fulfilled, as the Arab League has failed to achieve unity, integration, or even serious coordination among Arab countries.

1. Caliphate Between Challenges and Hopes

The Islamic Ummah did not live under an inclusive political framework for 14 centuries, starting from the period of the Prophet and the Rashidun Caliphate, until the Ottoman Empire; Later, with the abolition of the caliphate and the establishment of nation-states in 1924, the Nation of Islam split into dozens of states; and each of them had a ruler, flag, anthem, army, police, government, institutions, laws, and different educational curricula, which deepened the division among the components of the Ummah; Many Islamic countries also entered the orbit of opposing alliances; some were allied with Washington, some with Moscow, and fierce wars broke out among each other, as in the Iraq-Iran war (1980-1988); and in 1990, alongside the Iraqi invasion of Kuwait, foreign-supported civil wars broke out in Syria, Libya, and Yemen; This contributed to the further weakening of the Islamic world, causing several million deaths and tens of millions of immigrants and refugees.

In the light of this fact, a question arises about the way out and to what extent it is possible to re-establish a Caliphate state that politically represents the Muslims, eliminates the fragmentation and contributes to the resurgence of Islamic civilization. Here I discuss the matter not as a dreamy mental hypothesis, but rather in terms of its ability to hasten its realization; because the prophetic hadiths herald the return of the Khilafah state again after the compulsory judgment and we are witnessing an increase in the Muslim peoples' demands for freedom from authoritarian and dictatorial rule, which paves the way for the next phase of good governance. The Messenger of Allah sallallahu 'alayhi wa sallam

> (Prophethood continues within you for as long as Allah wishes, then it annihilates it whenever He wishes. Then there will be a caliphate in the prophethood system. This continues for as long as Allah wishes, then Allah removes it when He wishes. Then it becomes a biting reign. It continues for as long as Allah wills, and then Allah removes it when He wishes. Then a brutal reign/kingdom/cruel government come to power; it continues for as long as Allah wishes, then Allah removes it whenever He wishes. Then he said that there would be a caliphate in the system of prophethood and he kept silent.)

2. The Most Obvious Challenges
2.1. Replacing Sharia Reference with Man-Made Laws

The Islamic Ummah suffered greatly as the Sharia, as the supreme, sovereign reference from which the laws and laws governing the life of Muslim societies emerged, were replaced by man-made laws, adapted from Western countries, based on a legislative philosophy of a different

civilization and philosophy; this has led to the alienation and fragmentation of the Muslim community; Islam is a mediator between individualism and collectivism; it protects the rights of the individual and guarantees the rights of society, and regulates the relations between classes in society, Muslims among themselves, and between Muslims and others in a precise and balanced way.

The absence of this reference, arising from the light of divine revelation, causes our Muslim societies to fragment, alienate the individual, differentiate the priorities of the individual and society against individualism, and engage in pleasures and desires; This weakens the missionary role of the individual and the Muslim Ummah.

2.2. Nationalism And Fragmentation as An Alternative to Pan Islamism and Unity

Muslims, from the hadith of the Prophet (people are equal like the teeth of a comb, an Arab has no virtue against a foreigner except piety); and of Almighty Allah (The most valuable of you in the sight of Allah is the one who is most afraid of disobedience to Him.); and Allah the Almighty (Indeed, Islam, the religion of tawhid, is the only religion for all of you. For centuries, they have been proud of being a member of the Muslim nation, inspired by the verses of "I am your Lord, so serve only me". The first generation of Companions included various mixes, including Arabs, Al-Ahbash, and Romans, but the Ummah was influenced in light of Westernization campaigns by nationalist ideas that elevated nationalism over religion, which contributed to the division of the nation into Arabs, Persians and Turks. Then national thought came to increase the disintegration of the situation; thus, the Arabs became about 20 countries that did not differ from each other in language, religion, or history and geography. Just as the Turks were divided into many countries stretching from Anatolia and Cyprus to Central Asia, this contributed to the weakening of the Islamic nation and strengthened the internal rivalry among its constituents; and Central Asia in the hands of the Russians, or in the hands of the French and the British for centuries, as in the Arab world in the nineteenth and twentieth centuries, making it more vulnerable to foreign invasion.

2.3. Dependency Instead of Independence

The Muslim world has experienced crisis from the post-colonial era to the present, and much of its country is governed by regimes introduced by British historian Roger Owen with three characteristics (minority rule, subordination to the West, and rule without accountability). Many Muslim countries revolve around other international and regional powers, and these countries do not have real political independence that allows them to take serious steps to

integrate with other Islamic countries, as well as dictatorships and authoritarian regimes that rule many countries of the Islamic world against the interests of their people and they guarantee the interests of foreign countries and the systematic looting of the wealth of the Muslim peoples.

These conditions are reflected in the involvement of some countries in wars that drain Muslims and serve the interests of other international and regional powers; In addition, many regimes stand in the way of serious attempts to revive the concept of the Ummah or the rapprochement between its components. They have become the first line of defense for international forces willing to perpetuate the reality of the disintegration of the Muslim nation; this leads to the evacuation of many initiatives and institutions, such as the Organization of Islamic Cooperation, which fail to adopt Islamic unity projects and are not interested in the activities of most of the member states.

2.4.Excerpt From the European Union Experience

Some voices are calling for the restoration of the caliphate through the establishment of confederations that will draw on the experiences of the European Union; During the Second World War, especially in 1943, the British sociologist David Mitrani, in his work titled "A Functioning Peace System"; he called for European integration, which contributes to the establishment of a regional peace order, following a step-by-step strategy based on the fact that success in achieving economic integration will later lead to further integration in other aspects.

It originated from the idea of the French Mitterrand Jean Monnet, who believed that Europe should build a supranational transnational entity that integrates the common interests of European countries and resolves conflicts peacefully through supranational institutions so that countries can collectively share their sovereignty. The Schumann Declaration establishing the European Coal and Steel Community (ECSC) was published in 1950 and later evolved into various forms following the Maastricht Treaty in 1992, leading to the founding of the European Union.

Despite the fact that Europe has dozens of ethnicities and about 24 official languages, the European integration project has succeeded in transforming Europe, with member states living in peace for the first time in their modern history. It also enabled the establishment of a unified market that allowed the free movement of labor, goods and capital between the countries of the union; In addition to creating a unified legal system, the Euro was adopted as a unified currency in most of the countries of the union. The European Court of Justice also gave individuals the right to rely on the rules of European Union law before national courts. The Schengen

Agreement enabled the opening of internal borders between the member states of the European Union and the adoption of a unified European passport and Union flag.

3. Last Word

The European Union experience represents a contemporary experience of integration and the construction of a supranational inclusive umbrella that can be leveraged, emphasizing the fact that partnerships between Islamic countries are greater than among European countries; However, any serious steps to be taken for successful Islamic integration in practice must appeal to Islamic countries governed by regimes that have real legitimacy in the eyes of their people and have tangible political independence; then economic integration, common defense industries and the gradual removal of customs barriers can be built; Economic integration, a common defense industry, the gradual removal of customs barriers and the adoption of convergent legislation and education curricula can serve as a model for the peoples of other countries to pressure their regimes to make serious reforms and catch up with emerging Islamist blocs. Without it, calls to rebuild the caliphate will not materialize, as the Arab League has failed to establish unity, integration, or even serious coordination among Arab states.

ISLAMIC GEOPOLITICAL THEORY SECURITY OF COUNTRIES IN TRANSITIONAL PERIODS

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Abstract

Undoubtedly, there have been difficult times for countries; If they cannot manage crises, they will perish or be invaded. Throughout history, we have seen empires rise and then disappear because they could not overcome transition periods, crises and the enemies lurking within them.

This is the way life goes, one day it is for its benefit, another day it is against it. Stability is also a kind of death; Especially if the periods are long and if movement and creativity do not follow it, there is a common saying that countries that overcome crises and stabilize for long periods become stagnant, inactive or uncreative countries due to crises, because crises actually show creativity and innovation and necessity is the mother of inventions. Without the need to protect oneself and one's family from wind, rain, predators and earthquakes, one would not be able to build smart buildings that are resistant to all these dangers.

States are also subject to human exposure, being attacked by neighboring countries, or may be subject to internal aggression supported by external powers to control or occupy the state; In the modern era, we see how events and wars are produced for the state to regain its influence and control over other countries, the clearest example of which is USA.

In this research, we will talk about some transitional periods that can almost devastate countries, but with their good governance and the determination of their leaders, they can protect themselves from extinction, aggression or occupation, especially the state of Medina, which Muslims founded under the leadership of the Prophet Muhammad (peace be upon him), and how he established the state and laid the foundations that protect this state.

We will also touch on the Mamluk Sultanate, which managed to create a strong state during a difficult transition period, eliminating the Mongols, who overthrew Baghdad, the capital of the Abbasid Caliphate state.

What happened in the modern age and the World Wars I and II in which America has become a superpower that rules the world, and will this state's rule continue in the twenty-first century, or will we see the rise of other countries that impose themselves on the international arena after the world has become a single bloc on which the powerful fight?

Keywords: Security of States, Transitional Periods, State of Medina, America.

1. Crisis and How to Deal with It

The crisis is a dividing line between surviving and suffocating, the overthrow of the state and its resurgence, and represents a turning point with many risks; it is also a transitional stage characterized by imbalance and the occurrence of many future changes, with positive or negative consequences; this depends on the decisions taken against the crisis, the most important feature of the crisis is the time pressure, which requires quick decisions to put an end to the crisis before its repercussions increase or spread.

When a crisis occurs, information must be verified, and the crisis must be met with courage and good planning; Laws perish in the shadow of crises, therefore, the law we must follow in times of crisis is the moral law that guarantees our survival from these crises.

2. Phases of Crisis

- Incubation phase: Recognizing the factors that signal and contain the crisis by forming a crisis management team, gathering information, developing alternative plans, and establishing specialized task forces trained to confront the crisis.

- Suppression phase: It is the incipient phase of the crisis, representing the most difficult stages in which the crisis must be monitored, its expansion prevented, and those who ignite it must be blocked.

- Stabilization phase: This is the phase where the plans against the crisis are implemented.

- Regression phase: is the dispersal phase of the crisis.

- Compensation phase: At this phase, the crisis is evaluated, its effects are compensated, compensation is given to those affected by the crisis, restructuring is carried out, the psychological effects of the crisis are discussed and lessons are learned from it to prevent it from happening again.

3. Causes of Internal Crises

- Economic causes: Poverty- Unemployment- Ignorance- Corruption- Unjust distribution of wealth.

- Political causes: Struggle for power and non-peaceful transitions of power – armed conflicts – border conflicts – regional and international variables.

- Disaster causes: Earthquake and Volcano- flood- water shortage- fires-radiation leakage and others.

- Social causes: Sectarian, racial and ethnic tensions.

4. Causes of International Crises

- Power imbalance, alliances and border disputes.

- Resource causes such as energy, water, food and others.

- The struggle for geographic expansion.

- Attempts by states to change the situation in another country through political, military and economic coups.

- The existence of sources of disagreement that cannot be resolved despite the passage of time.

- Violation of agreements between states.

- Power demonstration.

- Occupation is one of the main reasons of international crises.

Fukuyama, in his book The End of History, declared that he expects the return of the occupation under the United Nations, today we see many international conflicts from negotiation to bargaining, repression, containment, blockade, instilling fear and strengthening alliances; conflict is linked to geographical boundaries, to the volume of resources and possibilities, and the goal is to completely or partially destroy one side of the other.

5. Phases of Crisis Management

- Early detection (warning phase).

- Preparing and taking action for an anticipated crisis by developing different scenarios and educating individuals on the necessary steps to face it.

- Controlling and limiting damage (in case of crisis) to prevent it from spreading and relocating.

- Getting back into action (withdrawal phase of crisis) after coping with the crisis, assessing the crisis and getting things back to normal.

- Conducting continuous learning and re-evaluation to benefit from past experiences in case of recurrence of the crisis.

Traditional procedures are not appropriate in crisis management because priorities must be set and the members of the team to deal with the crisis must be empowered. They should also open channels of communication with other parties to the crisis and maintain a constant presence in the midst of events to facilitate their management and educate the public to interact positively and contribute to the resolution of the crisis.

6. Fundamentals of Counter-Crisis

- Who are the parties to the crisis?

- Knowing the aims to deal with the crisis.

- Ensuring the speed and appropriateness of the response to the incident.

- Ensuring the legality of the decisions taken.

- Ensuring the representation of the parties involved in the crisis.

- Ensuring coordination of actions and different aspects.

- Providing information recipients with references on different situations.

- Conducting correct analysis of the strategic situations of the parties.

- Determining the way out and aim.

- Ensuring that the implementation is within a well-thought-out plan, based on a flexible political decision.

7. Necessary Measures Against Crises

- Safety and security of life, property and information.

- Gathering strength to deal with the crisis and saving in the use of power, especially if the crisis is repetitive.

- Deception and disorientation are to confuse the opponent for a sufficient period of time to contain the crisis and thus to control it.

- Protecting freedom of movement and initiative.

- Not to despair, to face the rumors and open loopholes to end the parties causing the crisis.

- Identifying fortified locations as starting bases and key points.

- Absorbing the crisis by responding to certain demands and temporarily agreeing with the forces that are causing the crisis.

- Economic tools, whether as incentives or intimidation, Economic aid is one of the important elements in the relations of states.

- Psychological warfare tools through newspapers and communication tools.

- Intelligence tools

- The use of military force after the depletion of diplomatic means.

8. Transitional Periods

It is represented in the transition from one regime to another as a result of the death of the monarch or a coup against him or the occupation of another state, or in popular revolutions that

try to replace the monarch; all these events we see today are happening in many countries around the world, especially in Arab and Islamic countries, and these transitional periods will turn into a major crisis if we cannot improve their administration, with the intervention of international parties and directing them in their favor.

As we saw in the Arab Spring revolutions, in the Syrian revolution, while the revolutionaries could not control the state and overthrow the government, after the revolution turned into an armed conflict, other parties intervened to invade Syria under the guise of ensuring security and peace in the region; several parties intervened by investing in this crisis to supposedly solve the problem, or rather to control and divide other countries in the region, as USA is doing now, in order for the crisis to continue.

Including the ongoing crises in Egypt, Iraq, Yemen, Lebanon and Libya, which major countries persist in their efforts to re-establish the map of control and hegemony over these countries; we see that the people of these countries have not been able to manage the crisis and pass smoothly from a tyrannical administration to a democratic administration, since they could not realize the dimensions of the crisis and the parties involved in its production at any political, economic and media level at the domestic, regional and international level.

I will consider it as the scene of many crises and conflicts between major countries and between peoples who want to end foreign domination over their will and decisions; As we see now, we must assume our responsibilities in preventing a global war between the two powers in our region, where Russia on the one hand and the USA on the other, is trying to gain the countries of the region to their side.

I believe that despite all these crises, if we read the international scene well and establish better coordination between the Arab and Islamic parties, we will come out of these crises stronger and perhaps the Islamic world will be the side that establishes the balance of power between Russia and its allies on the one hand, and America and its allies on the other, and prevents the expected nuclear conflict between the two sides; it also contributes to the resolution of energy and food crises, we are not with one side against the other because we call on both sides to be good neighbors, respect peoples and break the hegemony of power so that justice can prevail among the peoples around the world.

9. Islamic World is a Rising Star

There is no doubt that since the USA represents an island between the Atlantic and Pacific oceans, even if it brings all the countries of the world into a global war, it wants to maintain its

hegemony over the world at all costs and no one will dare to carry the wars there; he is also aware that due to Russia's besieged geographical position, Russia alone cannot defeat it; Its northern borders are surrounded by snow and we are now on the verge of winter months; If Russia makes a move, it will be met with an American move in Alaska, which USA bought from Russia.

Its eastern border is besieged by Japan and South Korea, both allied with USA, and there are even several American military bases in Japan; Therefore, if Japan wants to get rid of American hegemony and take back the Kuril Islands occupied by Russia, it should ally with Russia to prevent the continuation of American hegemony over the world.

The termination of the conflict between them and the liberation of the Kuril Islands in exchange for an agreement to be on the Russian side in the war to the Japanese in exchange for the lobby of the decision may affect, or at least to be neutral in the war between them, thus to ensure the integrity of its allies in the Eastern Front lobbies or Japan, the role of Russian is revealed here.

In addition to Russia's hostility with the US-affiliated Western European countries and NATO member states, its western borders in the Baltic Sea could be closed by preventing its overland movement to the sea part of Kaliningrad; European countries still see their alliance with America as protection from the Russian Federation, which has strained relations between them after witnessing elite economic relations, especially Russian-German and French relations, during the Trump era. One of America's goals in the Russo-Ukrainian war is to wear out the European countries and return them to obedience to America.

They are re-evaluating their relations with the neighboring country Russia, which is closer to these countries than the United States, in order to influence the lobbies of Russia's European countries or allied countries, America's decision to stop the Russia-Ukraine war and prefer a political solution to a military solution instead of wearing down European countries.

As for Russia's southern borders, represented by the Central Asian countries on the one hand, and the Black Sea and Türkiye on the other, these countries represent the life of Russia in the ongoing war; it is in the situation that Russia cannot enter into conflict with these countries that America is currently seeking and open other fronts that could lead to its complete encirclement; this is what America is looking for, because Türkiye is now the target country of America and its allies to pressure the Russians.

The USA puts pressure on Türkiye through various fronts: Eastern Front, provocation of Armenia to continue its war with Türkiye's ally Azerbaijan; the Western Front, by arming the

disputed islands between Greece and Türkiye, and the US using Greece as a military base; the Northern Front, encouraging Ukraine to continue the war against Russia, rejecting Türkiye's proposed political solution to stop the war; the southern front, on the other hand, includes arming Greek Cyprus, where the British conduct military exercises, as well as US support for the separatist militias in Syria and Iraq on the Turkish border.

Türkiye succeeded in neutralizing Armenia by signing a peace treaty between Armenia and Azerbaijan and recognizing that Armenia's Karabakh region belongs to Azerbaijani territory; in the west, Türkiye prepared for a possible military conflict with Greece, with Türkiye's attempts to resolve the conflict between it and Greece peacefully, and Greece's respect for international agreements not to arm the disputed islands; Greece is also sure that the expected war with Türkiye, provoked by the USA, will only harm the Greek people; the American people, on the other hand, are confident that they are safe on their island between the two oceans, away from the battlefield.

In the north, in the Black Sea, Türkiye militarily supports Ukraine in its right to defend its territory and is not a party to its conflict with Russia; It also did not recognize the regions of Lugansk, Donetsk, Crimea and Zaporozhye, which Russia declared independence and occupied by Russia; In addition to holding a meeting between Russian President Putin and Ukrainian President Zelenskiy and seeking to resolve their conflict politically; The agreement to transport Ukrainian grain through Türkiye succeeded in resolving the crisis between the two countries, with the effort to compensate Europe with Azeri and Russian gas via Turkish territory after the collapse of the Nord Stream line from Russia to Germany through the Baltics. As for the southern border, it represents the greatest danger as its sides are Arab countries; America, through the Arab League, is putting pressure on other Arab countries to transform the conflict in Syria and Iraq from an Iraqi-Iranian and Syrian-Iranian conflict to an Arab-Turkish conflict, considering Türkiye's occupation of Arab lands in Syria and Iraq.

It follows the same policy in Libya, where Egypt claims that the Libyan government is not elected and does not have the right to make any agreements with other countries; on the contrary, the regime in Egypt came with a military coup against the internationally recognized and elected President Mohammad Morsi; and this was July 2013, and the Egyptian people, with the same logic that Egypt wants to impose on the Libyan government, declare that any agreement signed with the Egyptian regime with any country in the world is null and void due to the illegitimacy of the ruling regime; Rejecting the Türkiye-Libya agreement and encouraging the West to declare its rejection of it imposes the same fate on itself in return.

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The West, which is actually managing the crisis in Syria, succeeded in moving the conflicts from occupied Palestine in the south to the north of Syria, close to the Turkish border, thus diverting the conflict from an internal conflict between the regime and the people seeking change to a conflict between the Syrian regime and the Turkish state, just as they have succeeded in diverting the conflict in Iraq from the eastern border of Iran, which supports the Shiite militias to kill and displace Sunnis, to the north near the Turkish border, the aim is to turn the Iran-Iraq and Syria-Zionist conflict into an Iraq-Syria vs. Türkiye conflict.

As a result of the miscalculation of the leaders in Iraq and Syria to resolve the crisis, the enemy has turned the country and its conflict into an opportunity to its advantage to continue and further fragment it; so the real players in Syria and Iraq are America, Russia and Iran, not the people of Syria and Iraq.

10. What is the Iraq and Syria Crisis and Solution?

It used the Syrian regime as a cover for invading Syria and Iran as a front-end to create more hostility between neighboring countries because America and Russia do not have borders with both Syria and Iraq, therefore the best solution is to create a permanent conflict between Iran, Syria and Iraq; If Iran can control Iraq and Syria, it will begin to create a new conflict with Türkiye, which resists attempts to divide both countries in order to prevent its fire from spreading into Türkiye.

So, the parties that need to develop a plan to deal with them are: After the Syrian and Iranian regimes, how did the American and Russian countries, which supported them, stop the desired conflicts and bring them back to normal, and from Northern Iraq to the Iranian border to the east, and from northern Syria to the Zionist enemy border to the south?

Iraq, Syria, and Palestine are occupied countries, not a unilateral occupation, but a complex occupation; the conflict in these countries is a mixed conflict between Russia, America, Europe and Iran; each of these countries has militias that finance and train these countries to destabilize them and thus accept the principle of dividing the people in exchange for stability.

By the same logic, we can do this in Iran, so we can create Iraqi militias in Iran, so we can reach a point where forces are balanced between Iraqi militias in Iran and Iranian militias in Iraq and Syria. Then the negotiation takes place.

In fact, these militias can be an alliance of countries affected by Iran, interfering in their internal affairs and destabilizing them, so that these militias can be an alliance that does not act out of

coordination with respectable countries that try to prevent the division of the countries of the region.

There is no doubt that this movement needs good management, a good study of the situation, and determining where it is moving so that it will be painful for Iran and not engage in a regular war again; We do not want war with Iran, on the contrary, we want Iran to respect the borders of neighboring countries and not interfere in their internal affairs, and to conclude joint cooperation agreements between Iran on the one hand and neighboring countries on the other.

Now there are two warring sides, Russia and America. We, as Muslim countries, are not a party to this conflict to the extent that we protect our strategic interests and at the same time prevent a nuclear war between the two sides; this is our mission in this world; to prevent a country from attacking the borders of another country, and if the attack does occur, the aggressor state is punished in such a way that the civilians of the two countries do not harm or the war between them does not spread to the other sides.

America's goals in this war became clear:

- To isolate Russia from European countries.
- To exhaust the power of Russia, Ukraine and European countries, especially Germany and France.
- Continuing its dominance over European countries.
- To form a monopoly on the supply of gas to Europe at the prices imposed by USA on the European Union.
- Siege of Russia in the Black Sea and Baltic Seas.
- Siege of Türkiye from all sides.

Arming the US military bases in the Black Sea from the north, in Greece from the west, and the islands near Türkiye in the Aegean Sea, arming Roman Cyprus in the Eastern Mediterranean, to completely isolate and declare war on Türkiye through separatist armed militias in Syria and Iraq from the south and Iran's alliance with Armenia against Türkiye and Azerbaijan in the east.

However, Türkiye is no longer alone in its opposition to American policy in the region, as many other countries have begun to oppose its policy and insultingly reject its hegemony, and if it continues, America will lose its influence and interests in the region in the near term.

The countries of the Islamic world are trying to end the war between Russia and Ukraine, especially Türkiye, because the danger of this war will spread to all countries with a coast to

the Black Sea, and America will not be affected by the war because it has no border in the Black Sea; but if it continues to hinder peaceful solutions it will lose allies; Türkiye is not on the side of the war, it is not on the side of Russia, and it is not against the United States, because in the end it is trying to strike a balance between the two powers so that the war does not expand and cover other areas; Türkiye and the Islamic world are not hostile to one side or the other, except for the involvement of these countries in domestic politics.

Russia, America and all countries of the world should respect their relations with other countries as stipulated in international conventions; If it is the great powers that violate international law, new mechanisms that force these countries to stop the violations of international law should be put in place, and all countries of the world, including the Islamic world, which represents a quarter of the world's population, should participate in the development and implementation of these mechanisms.

11. Highlights to Solve Crises

All people are responsible for finding a solution to the crisis and supporting the leader; just as the Companions Habab Ibn-i Munzer pointed out to the Prophet (PBUH) in the Battle of Badr, seeing that the place of the battle was better than the place chosen by the Commander, and determining another place; The Prophet also reached his opinion after the advantages of the new place were explained.

In war and in times of crisis, rumors multiply, there is even a special tool to spread rumors to influence the course of war, so in wars and crises the first tool to be controlled is the media; so that the public should be aware of this and not repeat what is published by the media without confirming the authenticity of the information; There must be an official spokesperson representing the head of state responsible for keeping up with the rumors and providing the people with facts that will not detract from the course of the war.

In every war, there must be companions like Nuaim ibn Mas'ud, who had a close relationship between the Quraysh and the Jews; When he converted to Islam and no one knew that he had converted to Islam, the Prophet (saas) said to him: Fight us as bad as you want is a ruse, the two allies, the Quraysh and the Jews of Medina, managed to turn against each other, thus trying to divide the front against him into two opposing fronts; This is the role of lobbies in every country that works for the benefit of the country it belongs to, such as the Jewish and Armenian lobbies in America; Today, Muslims in all countries of the world should be aware of the seriousness of

the situation of Muslim peoples and support them in order to ensure their security in countries that are hostile to Islam.

When a part of the people finds that their leader has to accept some unfair conditions in order to achieve a greater victory, they should not embarrass their leaders and seek a solution away from the spheres of influence of both sides of the peace; Just as Abu Basir and Abu Jandal did in the Hudaybiyyah peace, so that their actions would not be counted against the State of Medina, the two sides of the peace decided to move away from the influence areas of Mecca and Medina and cut off the way of the Quraysh caravans; In this case, the Quraysh had to ask the Prophet to abolish this condition.

To give an example: Türkiye signed an agreement with the opposition of Russia, Iran and Syria in the de-escalation zones and Russia, for example, stipulated that there should be no jihadists in these areas, and the Turkish government accepted this condition on the basis of ensuring the safety of civilians and not resettling them, what should the revolutionaries do in this situation? If the agreed areas are 30 km deep, they will move their activities to regions beyond 30 km, so the Turkish government is not put in a dilemma and they begin to expand within Syrian territory; if those areas are located in the north, they can move their activities to the south or to areas where the impact on the parties to the agreement is stronger, thus they want the cancellation of some conditions in favor of the revolutionaries.

When the Prophet (pbuh) concluded a document between himself and the Jews of Medina, this was not a single document for all Jews, but an agreement was concluded only with the Banu Nadir Jews, another agreement with the Banu Qaynuka; the third agreement was made with Banu Qurayza; Thus, if one of them does not comply, he will be treated alone and not all Jews unite against Muslims; For this reason, when an agreement is made with the militia, each militia should be dealt with separately so that the militias do not meet in an agreement and oppose you together.

12. State of Medina

The Prophet Muhammad (pbuh) began secretly inviting people to Islam for three years; He chose the people with the most righteous hearts and minds who understood the meaning of the Prophet's worship of the only God; The Messenger of Allah did not invite him to Islam at the beginning of the invitation, as he knew the harshness and audacity of Hazrat Umar and could slander what Muhammad brought; If in truth you find someone who is daring, does not fear death and does not fear anyone, know that it is often not appropriate to act in secret with him.

Then the Prophet's public call to his closest people began, and Abu Lahab said: woe to you, is that why you brought us together; It is also noteworthy that the Prophet did not invite his immediate family because his own family's rejection of his call would have caused the Meccans to reject the invitation; It is an equation that needs to be solved and examined in our age, which tends to blunt bigotry in everything, even if it results in death. Bigotry of Tribe, Horde, Congregation.

The Quraysh tribe was at war with the Muslims and tortured them to convert them; Such was the case of Taif, so the Prophet was only looking for other peoples who would accept the call and ask for his support; the Messenger of Allah (pbuh) did not give up hope and did not give up on this cause, which he swore that either Almighty Allah would spread it to the whole world, my duty would be complete or I would die on this path; this is a sign for those who invite, to the people of the message and the target, not to abandon their invitations until Allah manifests or they die.

How can a call be made to the world when Muslims are killed, arrested, tortured and besieged economically, socially and politically for three years in Mecca; After this siege, neither the Muslims nor their calls were trusted, so the decision to emigrate was taken.

The Prophet was not only looking for a safe haven to invite people to Islam and to perform the worships of Islam in complete freedom; Some tribes offered him support in exchange for the transfer of power to them after him; the Prophet rejected this, Islam's gain is heaven; The ultimate goal of the Prophet was to establish an Islamic state that would protect everyone who fell under its banner, even if he remained in his religion and did not convert to Islam; This state, which was founded by the Prophet in Medina, accepted to join the alliance of the Muslims before his ally Quda'a tribe converted to Islam, was attacked by the Quraysh, while the Prophet took various decisions:

- Support for his ally in Quda'a,
- To punish those who violate the terms of the Quraysh agreement.
- He refused to mediate between his uncle Abbas himself and the aggressive Quraysh group.
- The conquest of Mecca took place as a result of the Treaty of Hudaybiyyah, which Muslims saw themselves as losers, but this was a concession made to the global appeal to Islam and then to the minor aim of performing an umrah to achieve their grand goals, such as the conquest of Mecca.

Our Prophet confirms this with the delegation of Ansar, that you will detain me from the things that you kept your women, children and you from in the allegiance of Aqaba, and Paradise is yours; do not seek this job after me, or you will corrupt your religion yourself, this was repeated after the Battle of Hunayn when the Prophet distributed the spoils to the Quraysh; but the Ansar were saddened by this, and when the Prophet learned of this, he gathered the Ansar and said to them: O people of Ansar, wouldn't you be willing for people to return with sheep and camels and for you to bring the Messenger of Allah with your loads? They said: "The Messenger of Allah is enough for us and we are satisfied that it is our destiny, and he said: Had it not been for the Migration, I would have been one of the Ansar, then he prayed to them: May Allah bless the Ansar, the sons of the Ansar and the sons of his sons.

The fact that the Messenger of Allah (pbuh) confirmed to the Ansar that the price of your victory to Allah and His Messenger is only Paradise, and that he repeated it in the Allegiances of Aqaba, also confirmed after the Battle of Hunayn; As a result of this message, the Ansar paid allegiance to Abu Bakr al-Siddik (Radiyallahu Anh) after the death of our Prophet.

This is a message to some Islamic leaders who have taken the lead and are not worthy of it, even fighting each other for it, allowing the enemy to cause more disagreements among themselves until they defeat us; We saw how Abu Bakr presented Abu Ubayda Ibnu'l-Cerreh and Omar Ibnu'l-Khattab in the saqifa, but they did not accept it. Hazrat Umar said: By Allah, the Messenger of Allah showed you as an imam in prayer, so I cannot get ahead of you.

The Prophet's call to Islam continued everywhere, in Mecca and beyond, among pilgrims in Allah's Sacred House; Allah provided a people who saw Islam as their glory and victory as a way of salvation for him; these tribes are from Aws and Khazraj, and those who heard from the Jews that this was the time of a prophet wanted to come before the Jews with their faith in him and their support, and thus the first and second Aqaba Pledges were fulfilled; After the Prophet decided to immigrate to Medina, a golden opportunity arose to prepare Medina for the establishment of the first Islamic state, here are two lessons:

- First: The enemy sometimes unwittingly assists your cause, as the Jews do.
- Second: To prepare the lands in accordance with the conditions of the second Aqaba allegiance, which was determined as the support of Islam and Muslims in return for Paradise, to be suitable for welcoming the newcomers.

13. Pacta Sunt Servanda

The situation in Medina was not perfect; rather, it was a mixture of intrigue, tension, and Jewish arms sales to all warring parties to make money and control the state's economy; requires precise and clear agreements and terms between these parties; If one of the parties violates one of the conditions, the agreement is void because it does not follow the agreed rules.

This situation requires:

- First: Determining the categories in which contracts are made so that all enemies do not gather in one document and turn against you requires separating the powers with separate contracts for each category.
- Second: These contracts and documents should be written well, their texts should be clear and their provisions should be determined precisely.
- Third: If one of the parties violates one of the provisions, the other third parties are not involved in the settlement of the dispute between the two parties.

This is what happened to the Jews in Medina, when the rare Jews of the Prophet (pbuh) raped the honor of a Muslim woman and evacuated the Bani Qaynuka Jews from Medina, whom they planned to kill; As for the Bani Qurayza Jews, we will describe what they did as follows:

In the Battle of the Trench, the war was going on between the polytheists gathered by the Quraysh and the Muslims; It was a war that determined the fate of the Islamic state; The Jews of Banu Qurayza were inside the city and, according to the Prophet's terms, had to protect and defend the state against all kinds of external enemies, but these Jews were conspiring against the state and forming alliances with their enemies; And the Messenger of Allah became aware of this situation and decided to punish them, but only after the war was over.

The Prophet chose Saad ibn Mu'az, the ally of the Jews, to judge them and sentenced him to kill men, enslave women and children, and confiscate their money, and we will stop here for a moment: What would have happened if the Banu Qurayza Jews had carried out their plans by attacking the people of Medina and killing the head of state; The state and the cause would be lost together, and for the crime of treason and statehood and conspiracy against its president, it would be fair to kill them.

Had the verdict been rendered before the end of the battle, the morale of the soldiers would have deteriorated, and after Naim Ibn Masud could break the alliance between them, the polytheists could seize this opportunity and make an alliance with the Jews again. They did not know that he had entered Islam. Our Prophet told him: You can slander us all you want, this is

another lesson to be learned that war is a hoax and you should not believe everything said, especially in times of war or during preparations for war.

With this determination and determination, the Prophet (pbuh) established the Islamic state in Medina; For the infidels of Quraysh after the Battle of the Trench, we are occupying them today; They said that they do not invade us, and the year following the war that took place in the fifth year of the hijra was the year of peace, Hudaybiyah Treaty, they said, "You are victorious, then why are you making peace, why don't you demolish their castles and displace them as they forced you to migrate?"

Muslims performed Umrah unarmed, except for light weapons, in order to avoid the danger of the road from Medina to Mecca through the barren desert; Muslims wanted Umrah, Allah wanted conquest, Hudaybiyah Treaty was the conquest of Islam. One of its conditions was a ten-year truce between the Quraysh and the Muslims; In this period, when the Prophet was able to invite kings, tsars and tribal men to Islam, the invitation to Islam was not limited to Mecca and Medina, but became universal.

When your goal is big, do not be sad when you cannot reach a small goal, when you defeat your enemies in the big war, those goals will come true after you have the keys of the Kaaba; The Muslims did not return and go for umrah this year, they went for umrah next year according to the terms of peace, and they emptied the entire Haram for three days so that the Muslims could perform Umrah without any of the polytheists under their guard; the greatest goal was achieved when the Quraysh broke the treaty and attacked the tribe of Huza, who were allied with the Prophet (saas), so the decision was made again and the decision to conquer Mecca was taken.

The Huza'a tribe had not converted to Islam, but had entered into the alliance of the Prophet, a staunch ally must protect those who were allied with him, even if they were not of the same opinion, belief, or co-religion as him; these are the good morals that the Prophet (saas) sent, and the Prophet did not accept the mediation of his uncle Abbas in this war. After one of the parties to the contract violated the terms of the contract, the two parties did not accept any mediation or intervention by the outside parties; If the Prophet did not accept the mediation of his uncle Abbas and support for his ally Huza tribe, the ally would lose their trust in this alliance; The other party would dare to violate the terms of the covenant further, the sacraments would be violated and the security guaranteed by the ally represented in huza'a would be lost.

Whoever enters Abu Sufyan's house is safe, whoever closes the door is safe, whoever enters the Masjid al-Haram is safe, the places and safe shelters allowed in this war are determined in this

way; other than that, it is not safe for oneself, curfew is prohibited, and whoever violates this prohibition in war declares rebellion and the continuation of the war and must be fought; today, safe harbors are used as a decoy to kill civilians in wars of all-armed great powers against defenseless peoples. This is a violation of agreements between the guarantor states to stop the war.

Muslims learned a lot from the Treaty of Hudaybiyyah, and the most important thing you can learn is how a Muslim can be positive even under conditions that some Muslims reject for their religion; one of these conditions was that the person who converted to Islam from Quraysh and migrated to Medina was compelled by Medina to return to Quraysh under peace conditions; Muslims saw this as persecution for their religion, but the Messenger of Allah Hasha certainly would not have done this; However, he preferred to bring more benefits to the people, rather than the benefit of some new Muslims, for whom Allah will show them a way out.

It is the positivity of the Muslim who rejects this injustice done to him by his enemy, and the other party to which he is a member cannot provide him with protection and security; I have freedom of movement to do what I want outside the peace areas between the two sides, Mecca and Medina; The state of Quraysh or Medina has no authority there, that's the plan.

When Abu Basir and Abu Jandal escaped from their religion and came to Medina, the Messenger of God brought them back to Quraysh with the disbelievers and, fighting the polytheists accompanying them, fled to a large area over which no one had authority; They formed a group of Muslims who threatened the economy of the Quraysh and their caravans, whose route and entrance to the city were forbidden; this does not constitute a violation of the provisions of the Hudaybiyah Treaty; the Quraysh had to go to Medina to cancel this condition, Unjust international agreements can be circumvented in this way, it is important to know the bases that harm the oppressors and the enemy.

14. The Importance of Time in Crisis Resolution

The Muslims were victorious at Badr in the second year of the Hijra, and the Quraysh insisted on avenging those who died at Badr; In the Battle of Uhud, there was another lesson for Muslims that Allah will help them if they help themselves first; The battle was in favor of the Muslims at every stage until the archers thought the war was over and abandoned their positions in hopes of booty, violating the orders of the Messenger of Allah, the commander of peace and war.

The archers then made two different mistakes: The first was their disobedience to the leader's orders, and the second, their greed for booty more than their eagerness to obey Allah and His Messenger. As a result, they lost both the war and the spoils; The Messenger of Allah was nearly killed when Khalid Ibn al-Walid, who had not yet converted to Islam, circled around the archers, turning victory into defeat at a decisive moment in the war when the Muslims forgot about them; Few of the Companions stood firm in defense of the Messenger of Allah, until after the polytheists had secured their partial victory and before the Muslims reunited their ranks, they decided to end the war.

After his military defeat in Uhud, does the Prophet (saas) leave Muslims to a psychological defeat, that defeat is a danger to the nation and this danger must be eliminated; Our Prophet (saas) decided this when he ordered all those who participated in the battle of Uhud to prepare to fight at Hamra al-Asad the day after the battle of Uhud; In the case of war, you must not leave the battlefield before defeating the enemy, or even achieving a partial victory; so that the warriors do not suffer a psychological defeat in the long run between this defeat and the next war.

During the time of the Prophet (pbuh), the state of Madinah established many rules that ensured its security in securing all its citizens in the country against each other's ambushes, as it was a brotherhood between Aws and Khazraj and later between the Muhajirs and the Ansar; The rules governing Muslims and non-Muslims were later laid down in the constitution of Medina, and any violation of these conditions would be punished by expulsion from Medina, as was the case with the Jews who conspired to kill the Prophet.

At the level of foreign relations, he established bilateral alliances between the tribes outside the city, punished the Romans who had ambushed the Muslims, as he did in the Muta and Tabuk wars, and secured the borders of the state and trade caravan routes, which was a start to Islamic conquests.

Then Allah perfected his religion, completed the blessing and made Islam our religion; The moment of our Prophet's transition to his Lord came as a defining moment in the history of the Islamic Ummah, a delicate moment that required firm faith, a brave heart and a sincere decision to return Islam to the Islamic State on the Arab island.

15. First Caliph Abu Bakr Siddiq

When Muslims heard the news of the Prophet's death, Omar Ibn Khattab (r.a.) raised his voice by threatening those who said that the Messenger of Allah was dead; Abu Bakr al-Siddiq (r.a.)

came and confirmed the death of the Prophet and went before the people and said: Whoever worships Muhammad, Muhammad (pbuh) has passed away and whoever worships Allah, Allah is alive, immortal, and then he recited the words of Almighty Allah:

> Muhammad is no more than a messenger; other messengers have gone before him. If he were to die or to be killed, would you regress into disbelief? Those who do so will not harm Allah whatsoever. And Allah will reward those who are grateful. Ali 'Imran, 144

After the Muslims heard this verse, they came to their senses and Hazrat Umar said: As if I had never heard of it before, this was the first determination of Abu Bakr (r.a), who was the gentle friend and companion of the Messenger of Allah in the Cave of Hira, and one's faith was measured by difficulties; Thus, the difference between the faith of Abu Bakr and Umar (r.a), who competed to test the strength of their faith, became clear; Because Hazrat Umar came to the Prophet with half of his money in the Battle of Tabuk, then the Prophet asked him what he had left for your family. Umar said: I left the other half to them, Abu Bakr came with all his money, the Prophet (pbuh) asked him the same question. I left Allah and His Messenger to them. Umar said to him: I swear I will never be able to pass you.

16. Saqifa Banu Sa'ida

The second determination made on the first day of the Prophet's death was the election of a caliph for the Muslims after the Messenger of Allah (Peace be upon him), which was not an easy matter, as there was almost a disagreement between the Muhajirs and the Ansar over who would take over the caliphate.

On the day the Messenger of God passed away, some of the notables of the Ansar gathered in Saqīfa Banī Sāʿida and wanted to make one of them the head of state, thinking that they deserved the presidency because they were the natives of Medina and they embraced the immigrants and hosted Islam. The candidate chosen and discussed was Sa'd b. 'Ubada, the chief of the Khazraj tribe. They were unaware of the legal obligation that the Messenger of Allah (pbuh) made it obligatory for him to be from the Quraysh tribe when he chose the caliph. Narrated by Ibn Umar (r.a), the Prophet (pbuh) said: This happens even if there are two people left from the Quraysh.

The Ansar gathered at the Saqifa Banu Sa'ida, and Hazrat Omar and Abu Bakr, who heard about the incident, and Abu Ubayda ibn al-Jarrah, whom they met on the way, went there together and attended the meeting; The Ansar made a proposal as a ruler from us and a candidate for a

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ruler from you, and Omar Ibnu'l-Khattab narrates that, may Allah be pleased with him, while he wanted to talk to people, Abu Bakr asked him to start speaking before him and said to the Ansars:

> You are the owner of all the good deeds you mentioned, this issue will not be known outside of this neighborhood of Quraysh, they are the middle of the Arabs in lineage and home, I have found these two people suitable for you, hold the hand of Omar and Abu Ubayda ibn al-Jarrah, and pledge allegiance to whatever you wish from them. Omar (r.a) says on him, "Extend your hand, O Abu Bakr. He extends his hand to him, Omar pays allegiance to him, first the immigrants, then the Ansar.

Umar and Abu Ubayda did not want to stand out for the caliphate when Abu Bakr al-Siddiq was present, because the Messenger of Allah (saas) used to highlight Abu Bakr as the imam who would lead them in prayer; When the Ansar remembered that the caliphate was in Quraysh, they pledged allegiance to Abu Bakr and said: Let him be a vizier from us and a ruler from you.

And the lessons learned from the allegiance of Saqifa to ensure the security of the state in transitional periods:

- The state should not be left without a leader even for three days; On the first day of the Prophet's (sallallahu Alaihi wa sallam) death and before his honorable body was buried, Abu Bakr was chosen as the caliph of the Muslims.
- As Abu Bakr first suggested Umar and Abu Ubayda for the caliphate, no one offers himself for the caliphate unless someone else presents him to the caliphate.
- No one should accept the caliphate when there is a better person than himself in this matter; As Umar ibn al-Khattab (may Allah be pleased with him) approached Abu Bakr and said to him in front of people: Extend your hand, I pledged allegiance to you, and after him the Muhajirs then Ansar pledged allegiance.
- A ruler cannot become a ruler unless he is pledged allegiance to him by the general public, not by putting a sword to the neck of the people.

17. Fight Against Apostates and Those Who Forbid Zakat (Alms)

This was the first step taken to secure the state after the death of our Prophet (pbuh), the next and most decisive step came when Caliph Abu Bakr al-Siddiq, may Allah be pleased with him, decided to fight the apostates.

When most of the tribes in the Arabian Peninsula learned of the death of our Prophet (pbuh), they apostatized and wanted to be freed from the sultan of the state of Medina; some tribes

decided not to pay alms, and there were some who claimed prophethood during the life of the Prophet and after his death, the Persian-Roman and the Christians in the south allied themselves to fight the Muslims. All this took place after the death of the Prophet and in the early days of Abu Bakr al-Siddiq's caliphate.

Shura was the foundation of rule in Islam, confirmed by Siddiq Abu Bakr in these words: Help me if I am right, correct me if I am wrong. The Prophet (pbuh) consulted with his companions, Hazrat Umar was about not fighting those who did not pay zakat, why did Hazrat Caliph Abu Bakr al-Siddiq want to continue the struggle with those who do not pay alms, I thought, so I thought of the words of Almighty Allah in Surah Fussilat:

> Say, "I am only a man like you, ˹but˺ it has been revealed to me that your God is only One God. So take the Straight Way towards Him, and seek His forgiveness. And woe to the polytheists (6)
>
> those who do not pay alms-tax and are in denial of the Hereafter (7)".

Abu Bakr's decision when fighting apostates and those who did not pay alms was correct. Without him, nothing from Islam would have reached us today. He said that it would not be right to consider prayer and zakat separately, and that it was necessary to fight those who wanted to see them as separate acts of worship.

Abu Bakr al-Siddiq (r.a) prepared eleven armies to fight the apostates, and their war was not a picnic, but a fierce battle in which Muslims were killed; especially there was the Battle of Yamama in which many of the Qur'an memorizers were killed, so this was one of the reasons why Caliph Abu Bakr thought of collecting the Qur'an.

Nine armies were victorious and two armies were defeated against the liar Musaylima. Caliph Abu Bakr had to send Khalid Ibn al-Walid to Yamama to fight against Musaylima. The Muslims were victorious at the beginning of the battle, but Musaylima opposed this situation. Fortified his army in the Garden of Death, Khalid began to divide his army and said to his leaders: O people of the Qur'an, embellish the Qur'an with verbs, Bara Ibn Malik threw himself into the garden and opened it with Allah's help, and the Muslims won a victory that established the pillars of the Islamic state.

18. Usama ibn Zayd's Fight Against Romans

The step of sending Osama bin Zaid's army to fight the Romans was no less decisive than to fight the apostates; In fact, Abu Bakr (r.a) insisted on sending Osama's army at the same time by preparing his armies to fight the apostates, despite the objections of the high-ranking

Companions. By Allah, I am not untying a knot that the Messenger of Allah held, I will prepare Osama's army.

Osama's army went around Damascus and the Roman armies fled from him, when he did not face a battle, he saw that some tribes in this region were apostates and fought them, dispersed them, defeated them; and he quickly returned to Abu Bakr al-Siddiq in Medina with the spoils he obtained from this battle; the arrival of the army to the north of the island caused all the Arab tribes in this region to fear the Muslims; this caused them to think that the Muslims were strong in Medina and were only a small part of these armies, and they decided not to attack Medina.

19. The Beginning of the Islamic Conquests

From the beginning of the dominion in the state of Medina after the Prophet's demise to Almighty Allah and Abu Bakr's election as the successor of the Messenger of Allah, we saw that there was a difficult transitional period in which definite decisions had to be taken to protect the emerging state from disintegration and collapse; It started with the Muslims' affirmation of their religion after the death of the Prophet, and then the election of a caliph from the Muslims on the first day of his death (Sallallahu Alaihi wa Sallam). After that, to fight the apostates and those who do not pay alms, and at the same time to dispatch Osama's army to scare the external enemy so that he would not take advantage of the civil wars and invade Medina, the state stabilized after these final decisions; and Caliph Abu Bakr al-Siddiq began conquering Damascus and Iran, followed by the second Caliph Omar Ibn al-Khattab, who completed the conquests after Abu Bakr established the pillars of the state.

20. Mamluk Sultanate

The Crusaders began their seventh campaign against Egypt in the calendar year 647 Hijri, when King Louis IX of France succeeded in occupying Damietta. Sultan es-Sâlih Ayyub was very upset and decided to meet the army of Louis IX in Mansura and the Sultan moved to Mansura despite his illness, Fares al-Din Aktay and Rukn al-Din Baybars prepared the plan for the Crusade.

21. The End of Ayyubid Domination

Sultan es-Salih Ayyub died while preparing to face the enemy in Mansura; There was no deputy to replace the Sultan at this difficult time when Damascus was occupied by the Crusaders and required decisive decisions to ensure the survival and victory of the state; These decisions came from Sejaruddür, the wife of Sultan es-Sâlih Eyyub; here he hid the news of his death from the soldiers and sent a message to Turan Shah, son of Necmeddin Eyyub, to take over the

administration; They agreed with the king's prime minister to rule the state, then he commissioned Fareddin Aktay and Rüknüddin Baybars to complete the preparations for the Battle of Mansur, Şerüddür represented the de facto ruler of the country until Turan Shah came.

The battle of Mansur took place on the fourth day of Dhu al-Qa'da in 647 Hijri year and the Muslims won a great victory; followed by another attack on Louis IX's army outside of Mansoura, but was able to repulse it; In the early 648 AH, the Egyptian army met with the army of Louis IX at Faraskur, less than two months after the Battle of Mansoura, and a major battle took place between them; The army of Louis IX, captured in this war, collapsed and he was imprisoned in Ibn Luqman's house in Mansura.

The Mamluks began to rise after that war; Especially since Turan Shah was not suitable for administration and politics, he started to reduce his power by denying Şerüddür, who kept the kingdom to himself, and the leaders who prepared the war plan and led the wars and who were victorious with Allah's permission, signaling the end of the Ayyubid state and the birth of the Mamluk state.

The war between Turan Shah's takeover and his murder united everyone; They liberated Damietta and defeated the Crusaders led by King Louis IX of France, which ended with him being captured and imprisoned in Ibn Luqman's house in Mansoura.

22. Shajar al-Durr the First Ruler of the Mamluks

After Turan Shah was killed, Şerüddür came to power by agreeing with the Bahri Mamluks; After the revolution of the Egyptian people and the rest of the Muslim peoples and their refusal to have a woman take over to rule Egypt, she considered marrying one of the Mamluks who did not desire to rule so that she could rule behind a curtain; Izzeddin chose Aybeg to marry, and transferred the administration to him by marrying him; so he ruled Egypt for 80 days before handing over, so that four kings took over Egypt that year: Sultan es-Salih Ayyub later died and his son Turan Shah succeeded him and was killed; later, Şerüddür came and handed it over to Izzeddin Aybeg, nicknamed the king of muiz.

Izzeddin Aybeg did not clash with the Shajarud or Bahri Mamluks at the beginning of his reign, but he created a strong front against which he could confront the Bahri Mamluks; Al-Mu'izz, headed by Saif al-Din Qutuz, formed the Mamluks; Al-Sham had fallen from the rule of the King of Egypt after the assassination of Turan Shah, so Ayyubid emirs gathered in Damascus to invade Egypt and re-establish Ayyubid rule; Four months after King Izzeddin Aybak came

to power, he personally met with them and defeated them with a great victory, which strengthened his position among the Egyptian people.

Three years after his reign, all of Palestine and even Galilee came under the rule of Egypt and this matter strengthened Izzeddin Aybek's power and increased the hatred of Bahri Mamluks, especially Fariseddin Aktay, who acted with contempt and contempt; Therefore, he gave the order to kill Aktay so that he would not oppose him in power, and after Aktay of Bahri Mamluks died, they feared for themselves and fled to Damascus.

Izzeddin Aybak decided to expand his power, so he decided to marry the daughter of the governor of Mosul and kill her Sejaruddür husband there; so Seyfeddin Qutuz arrested Şerüddür and İzzeddin Aybakin's new wife killed him; Nureddin Ali, whose son was nicknamed Mansur, came to power at the age of fifteen, and Saifuddin Qutuz, the army commander and leader of the Mamluk Mu'izziya, received his visa, Saifuttin Qutuz became the de facto ruler of the country.

Eight years after the battle of Faraskur and the capture of Louis IX, Baghdad fell on February 10, 1258, 4 Safar 656 AH; Hulagu began preparations for the invasion of Damascus and the next step after Damascus would be Egypt; With Nureddin's coming to power, a new turmoil and a new struggle for the rule of Ayyubid princes began in Egypt; In the Bahri Mamluk revolutions, however, Seyfeddin Qutuz took the decision to isolate the boy Sultan Nureddin Ali and came to power after obtaining the approval of scholars to prepare for a confrontation with the Tatars; This was on the twenty-fourth of Dhulkada 657 Hijri, days before Hulagu's arrival in Aleppo.

Qutuz respected and obeyed the scholars, when he wanted to impose taxes on the people to equip the army, Al-Izz bin Abd al-Salam issued a fatwa that it was not permissible unless the princes took their own money and the money of their wives and concubines; Qutuz was the first to apply this fatwa on himself and later applied it to the rest of the emirs.

23. Sultan of Scholars Izz Al-Din İbn 'Abd Al-Salam

Al-Saleh Ismail Al-Ayyubi to fight against his brother Necmeddin Eyup, buy weapons from Damascus and let them go; He allied himself with the Crusaders to march with them as a single army to invade Egypt in return for seizing power in Egypt and giving them the Sidon shaif areas; Distinguished scholar, Reverend Ibn Abd al-Salam rebelled and preached on pulpits; es-Salih vehemently denied this against Ismail, expressingly and unequivocally that Salih Ismail did not have enough personal property to leave the Islamic cities to the Crusaders; he also says

that it is not permissible to sell weapons to the Crusaders, especially Muslims, that they are sure that the Crusaders bought weapons only to shoot their Muslim brothers.

Al-Saleh Ismail removed him from his judicial post, prevented him from giving a sermon, then ordered his arrest and imprisonment; He was then released from his prison, but was prevented from giving sermons, teaching, and public speaking, so the venerable Imam left Damascus and went to Jerusalem; Al-Saleh Ismail followed him and imprisoned Sheikh Al-Izz bin Abd Al-Salam in Jerusalem; and as-Sâlih Ayyub came and rescued Bayt Al-Maqdis from the Crusaders in 643 Hijri, where Sheikh Al-Izz bin Abdul Salam got out of prison and came to Egypt; es-Sâlih was very close to Ayyub and gave him the right to give a public sermon in the mosque of Amr Ibn al-As and appointed him to the judiciary.

While living in Egypt, he discovered that the state's provinces, emirates, and major positions were all Mamluks previously purchased by Najm al-Din Ayyub; therefore, they are under the rule of slaves and since they have tutelage over the free, he immediately gave his fatwa that their guardianship is not permissible.

Egypt caught fire with the anger of the emirs who controlled all the high places, even the deputy sultan was someone who came directly from the Mamluks; they came to Sheikh al-Azz bin Abdulsalam and tried to persuade him to abandon this fatwa, and then they began to threaten him; The matter was brought to es-Salih Ayyub and he rejected the Sheikh's words and said that this is not one of the things that are permissible to talk about; so the Shaykh decided to isolate himself from his position in the judiciary; but Egyptian scholars and sheiks rejected this decision and sided with the sultan of scholars, Ibn Abdul Salam.

The news reached es-Sâlih Ayyub and he went to Sheikh El-Izz bin Abd al-Salam and tried to persuade him, but he said to him that he would not be satisfied until his fatwa was applied: if you want these orders to take office, they must first be sold; Then whoever bought them will set them free and as-Sâlih Ayyub agreed, Sheikh Al-Izz bin Abd al-Salam took charge of the sale of the emirs, the emirs began to be auctioned one by one; the public went to the auction, when the price was too high, as-Sâlih Ayyub bought the orders by paying with his own money; then he was released and the money was deposited in the Muslim treasury so that all the emirs who ruled the ministry, the emirate, the army and other affairs were sold and from that day onwards Sheikh Al-Azz bin Abdulsalam was known as the amir dealer.

Al-Izz ibn Abd al-Salam ensured that the Mamluks remained in rule after Sultan Necmeddin Ayyub demanded that they be bought and freed from slavery, since it was not permissible for

the slaves to have provincial authority over the free ones; It is always the duty of scholars to correct the wrong situations of rulers and to ensure that their political decisions do not contradict God's law and rule.

24. Battle of Ain Jalut

Al-Nasir Yusuf al-Ayyubi, the emir of Damascus and Aleppo, was the strongest of the Ayyubid amirs and the strongest against Hulagu, but he sent his son, Elaziz, to Hulaku to carry gifts for him and to declare his obedience; asks him to help him seize Egypt and liberate it from the rule of the Mamluk state; However, Hulagu considers the absence of Al-Nasir personally as contempt, whereupon Hulagu sends him a letter immediately, ordering him to surrender his loyalty and surrender without any conditions and conditions. En-Nasir, who reads the letter, gets angry and sends his family to Egypt.

In Ramadan (657 Hijri = 1259 Gregorian), Hulagu, together with his allies from the Georgian and Armenian princes, left Maraga, the capital of his state in Azerbaijan, and set out for Damascus under the leadership of his commander, Kitbuqa; The city endured a long siege and the Mongols failed to capture it; However, the length of the siege, the depletion of supplies, the spread of epidemics, and the death of a large part of the population led to the surrender of the city.

During the siege, when the Mongol armies captured neighboring cities, Mardin, Harran, Edessa, Suruç and El-Bireh fell, then the army continued to advance towards Aleppo and besieged heavily until it surrendered (9 Safer 658 - 25 January 1260); Hulagu surrendered the city to his soldiers, and they too damaged the city, where there was corruption, and its destruction spread everywhere; As soon as this tragic news reached Damascus, after al-Nasir Yusuf al-Ayyubi, the ruler of Damascus, fled, they chose the safety of the people and surrendered the city.

Hülagü left Damascus and returned to his country, leaving the task of completing the occupation to his commander Kitbuqa; he entered Damascus on 15 Rabi-ul-Awwal 658 = 1 March 1260. As a result of this occupation, many of the people of Damascus fled to Egypt under the authority of the Mamluk state, which was ruled by Al-Mansur Nur al-Din Ali ibn al-Mu'izz Aibek; meanwhile, King Al-Nasir Yusuf sent an emissary to Egypt to ask his soldiers for help in opposing the Mongol advance.

Since the Egyptian sultan was not worthy to bear the responsibility of the country in the face of the approaching danger, his deputy Seyfeddin Qutuz dethroned him and began to consolidate the foundations of his state and to lay the foundations of his own administration; thus he

appointed those he trusted to high positions in the state, arrested the followers of the previous sultan and began preparations for jihad and fighting the Mongols; He allowed some of the Mamluk amirs to return from their opponents in Damascus, headed by Baybars al-Bundukdari, and welcomed him; He treated him well, and persuaded al-Nasir Yusuf al-Aybi, who had fled from Damascus and sought help from the Mamluks in Egypt, to join his army and be near Gaza.

In the meantime, Hülagü's messengers came to Cairo with a letter full of arrogance, hatred and threatening, and in the face of this imminent danger, the Sultan convened a council of high-ranking emirs, and the opinion that came out of that council was to prepare for war in response to Hulagu's threat; this decision was reinforced by the killing of Mongolian messengers, and this action was a declaration of war and a determination to jihad, but at the same time, Qutuz began to mobilize armies and collect funds to be spent on military preparation and equipment.

Before imposing new taxes on the people, in response to the fatwa of Sheikh al-Izz ibn 'Abd al-Salam, who was the most powerful scholar of his time, he collected whatever money and jewels were available from him and his amirs and equipped the army. Not only that, he began to arouse their pride and courage as he had trouble convincing many emirs to go out with him to fight the Mongols, so they promised to come out and fight him.

Ramadan 658 Hijri = In August 1260, Qutuz came out of Egypt at the head of the Egyptian armies and Damascus and other soldiers who joined him; Emir Baybars al-Bundukdari ordered the Mongols to advance with a vanguard to bring their news; He marched until he met their soldiers in Gaza; then he clashed with them and was victorious, this victory boosted the morale of the soldiers; thereupon, Sultan Qutuz advanced to Gaza with his armies and stayed there for a day; He then went by the coast to Akka, where he was still under Crusader control, and they offered to help him, but he refused, asking them to remain neutral, otherwise he said he was ready to fight them before meeting the Mongols.

Then Qutuz met at Ain Jalut, between Emir Baibars, Bisan and Nablus. Hulagu left Damascus to choose a new khan for the Mongols and returned to his country, and the Mongol army was led by Kitbuqa; The new commander united his forces scattered in Damascus into a single army, camped at Ayn Jalut, and on Friday morning (25th of Ramadan = 3 September 1260 m) the two sides clashed at dawn; The Mongol forces, attacking the Egyptian armies like a big wave, achieved a temporary victory, indeed they were able to disperse the army, but Sultan Qutuz managed to hold on like a mountain.

A cry that came out of Qutuz saying "Islam to Islam" spread everywhere and their forces flocked around and attacked the Mongol army, which was surprised by this determination and patience in the war; they fled to the neighboring hills after their commander saw Kitbuqa fall screaming on the battlefield; The Muslims, not content with this victory in the battle of Ain Jalut, followed and clashed with the remnants of the Mongol army gathered in Bisan, near Ain Jalut, and the Sultan Qutuz, shouting his cry and the word of Islam, returned praying to Allah and said: O Allah, grant victory to your servant Qutuz, so that the issue came to an end with the defeat of the Mongols for the first time, so that the sultan got off his horse, rubbed his face on the battlefield and kissed him and prayed two rak'ahs of gratitude to Allah.

The Battle of Ain Jalut was one of the most decisive battles in history; Not only did he save the Islamic world from imminent danger, its civilization from loss and collapse, but he also protected the European world from an evil that none of the European kings at that time could repulse. This victory was the sign of the liberation of Damascus from the Mongols; When the Mongol rulers in Damascus began to flee in haste, Qutuz entered Damascus at the head of his victorious armies (Ramadan 658 Hijri), and after securing all Damascus cities, he began to regulate the situation by appointing governors.

25. Between Captivity of Louis IX and Ain Jalut

- The Battle of Al-Mansoura was fought in 4 Dhu al-Qa'dah 647 = 8 February 1250)
- The Battle of Fariskur in early 648 AH, during which King of France IX Louis was captured.
- After the assassination of Turan Shah (28, 648 AH - May 2, 1250) Damascus came out of Egyptian rule and the Ayyubid amirs decided to invade Egypt to re-establish their dominance in Egypt; however, Sultan Izz al-Din Aybak defeated them in the Abbasid city near the east, and 3 years after his rule, all of Palestine came under Egyptian rule as far as Galilee.
- Eight years after the Battle of Mansur, Baghdad (4 Safar 656 = 10 February 1258) fell.
- Two years later, Aleppo surrendered (9 Safar 658 = 25 January 1260).
- Kitbuqa entered Damascus on 15 Rabi-ul-Awwal 658 = 1 March 1260.
- The army, led by Seyfeddin Qutuz, prepared to repel the Mongols from the Egyptian invasion six months after the fall of Damascus, and the Muslims were victorious at Ain Jalut on Friday (25 Ramadan 658 = 3 September 1260).
- Qutuz entered Damascus at the head of his victorious armies (27 Ramadan 658 = 5 September 1260).

Between the capture of Louis IX and the murder of Turan Shah and the end of the Ayyubid rule, and the beginning of the Mamluks' rule by taking over the rule of Sejaruddur, despite all this, there were great victories against the Ayyubid amirs who wanted to invade Egypt; at the same time, Hulagu's forces moved to overthrow Baghdad, the capital of the Abbasid Caliphate, until his troops reached Damascus and besieged it until it fell; Mongol forces were about to invade Egypt and all these important events took place in the ten years from 648 AH to 658 AH.

The Battle of Ain Jalut represents a clear embodiment of the importance of time on the one hand and the role of scholars in government on the other; Six months after the fall of Damascus, Egypt prepared to fight the Mongols led by Seyfeddin Qutuz; Egypt under Sultan Al-Mansur Nur al-Din Ali ibn Izz al-Din Aybak, after consulting scholars headed by Al-Izz ibn Abd al-Salam, Qutuz decided to dethrone King Al-Mansur and take over the administration; so he could prepare the army and repel the Mongols from invading Egypt; Al-Izz ibn Abd al-Salam also refused to collect taxes from the people before his amirs paid their money to equip the army. More importantly, he saved the domination of the Mamluks when he insisted on selling the amirs and liberating them before taking office in the state, not allowing the slaves to have tutelage over the free.

26. Conclusion

The Islamic world must understand its true role in saving the world from the destruction, immorality and nuclear war that awaits the world as a result of the insistence of one side to eliminate the other, in the midst of the world's crises, where it can save both sides together if it stands neutral and fair between the two sides, which requires:

- To pressure the Ukrainian president to negotiate with the President of Russia under the auspices of the United Nations and with a neutral side acceptable to both sides, such as Türkiye, in order to end the war in Ukraine.
- To demand that the United States return frozen Russian assets and lift the economic blockade as a positive step to end the war, and demand that Russia stop the war and restore balanced relations between Russia and European countries in exchange for Ukraine's promise not to join NATO.
- To demand that the United States return frozen Afghan assets to Afghanistan, recognize the current government and not interfere in its internal affairs, that government did not force the American people to enter Islamic law, only the Afghan Muslim people.

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- To demand that the United States stop supporting the oppressive regimes in Arab and Islamic countries and remove its tutelage over the peoples of these countries, and that it only establish balanced and friendly relations with these countries so that it does not confront these peoples directly and affect their interests in the region.

- To demand that the United States cease support for armed militias in Syria and Iraq and respect their sovereignty so that refugees can return to their countries.

- To demand that the USA stop supporting Iran, which is fueling racial and sectarian conflict in neighboring countries.

- To demand that America and Iran stop the militia wars they have created in the region and that war before it moves to them.

- To demand that Russia stop its war in Syria in return for a friendship agreement to be signed between the two countries, in return for facilitating it in the Eastern Mediterranean on the basis of cooperation and mutual interests between the two countries.

Today, both the USA and Russia appeal to the friendship of the Islamic world, whose participation in this conflict on one side or the other will determine who will win; or there may be another view that most Islamic countries agree on, such as preventing a third world war, which, as a result of neutrality between the two sides, could lead to balance in the region and cause the destruction of the planet.

If Muslim countries want to take back some of their rights, they must take this position; Changing the international legal system for the benefit of all Member States of the United Nations; They will become a new pole that can influence international decision-making, including the extension of the permanent membership of the Security Council to one-quarter of the membership of Muslim countries,

As the Islamic world, we do not want to divide Russia or the USA, but to establish balanced relations with all countries of the world on the basis of respect for international agreements and treaties; Respect for the privacy of Muslim communities, which guarantees justice and equality for all before and after, which is confirmed by the history of Muslims for more than a thousand years.

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VII. SESSION: ISLAMIC UNION INTERNAL SECURITY VISION – III

MODERATOR: PROF. DR. ESRA SARIKOYUNCU DEGERLİ

SOCIOLOGY, MEANING AND ELEMENTS OF SECURITY

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Abstract

Security is one of the most basic needs of a society. The concept of security generally means protection from all kinds of dangers and accidents. On the other hand, the concept of security is divided into more specific, clearer and more understandable components. The issue of security has been a subject to be examined by many sciences, especially sociology. Security as a subject of study in sociology has many different definitions, dimensions and elements. The sociology of security is still very young. Due to the lack of scientific wealth on this subject, some believe that security can be the subject of political sociology or the sociology of war. Therefore, in this study, we will try to answer the questions "What is Sociology of Security, what elements does it rely on?".

Keywords: Security, Sociology of Security, Social Security, Social Capital, Social Trust.

1. Introduction

One of the basic needs of human is security. Security is an integral part of human life. The presence or absence of its security has become an important issue for human society .Therefore, they are considered as the basic needs of human. The need for safety is also considered important relative to physiological needs, and perhaps even more important than physiological needs in some cases. In case of lack of security, the continuation of human life will face a great problem. The impact of the security issue on human life is evident. It is said that the desire of mankind to achieve security is inextricably linked with human existence and can continue. Humans have turned to group life to meet their life and physiological needs and to ensure their security. Humans are in constant social relations in order to ensure mental health. Because unity and harmony form the basis of the growth and evolution of human societies and provide a platform for the formation of the intellectual atmosphere in life and the creation of cooperation between people in society. Residents of different regions are made up of ethnicities, groups and communities. As a result, they evolve into unified societies. Meanwhile, security is said to be the most important need of every society, including groups, tribes and ethnicities.

2. What is Security?

Security is to avoid exposure to or protection from danger. Security is to avoid exposure to or protection from danger. In addition, security is to avoid problems such as fear, panic, anxiety and so on. Generally speaking, security is used to express peace, freedom, trust, health and other conditions. Also, security is the state of being protected from anxiety, fear, danger or threat to an individual or a group of people (Mir Arap, 2000:1).

In other words, the concept of security refers to the absence of threats to values and the safekeeping of values against all kinds of threats (Asakari et al. 2017: 82).

In another definition, security is categorized as "internal and external security or political, economic, military, social at the level of the individual, state and system - or by placing different levels between them" (Sancak, 125).

Security is concerned with the process associated with the mitigation of any threat to people and their values. Therefore, security is said to be about the ability of states to be free from threat and to preserve their independent identities. Security is generally recognized as the protection of harm, fear, anxiety, oppression, danger, poverty, defense, protection and fundamental values, and protection from threats to these values (Afolabi, 2015: 1-2).

3. What is Sociology of Security?

It is claimed that the sociology of security is still not rich in scientific terms. Some believe that security can be researched and studied within the context of political sociology or the sociology of war. For this reason, a brief definition and discussion of the sociology of security are made in this section.

The sociology of security deals with the scientific aspect of the relations between society and security. In other words, it reveals a determination of how security creates an understanding of society and how security creates a society. In other words, sociology of security is the study of the interrelationships between security and society that lead to the construction and production of security in society (Navidnia 2019:1).

Thus, the sociology of security is concerned with understanding security and what kind of security understanding society forms. In fact, the sociology of security answers these questions:

- Based on what factors does society formulate security?
- How does society organize stable security?
- To what extent does society follow the institutionalization of security?
- How is the distinction between security and insecurity formed and produced in society?

On the other hand, the sociology of security tries to answer these questions.

- How does security shape a society?
- What are the barriers to security in society?
- What kinds of interactions does security bring in different groups (family/friends...) in different situations (parties/unions...) in different environments (city/village...)?
- How does security use social and political forces, classes?
- What are the factors that determine security for a society?
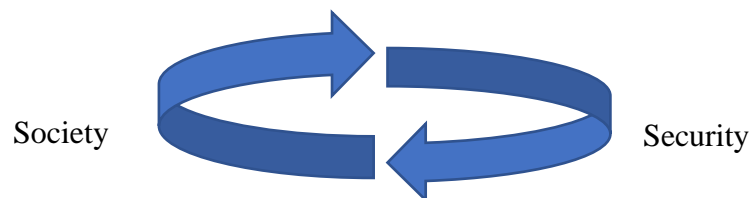
Society   Security

Thus, security as a social phenomenon is associated with the protection of a nation from danger or threats, the development of society and the upliftment of its social values, and the increase in the welfare of its people.

From a sociological point of view, security is not seen as a political phenomenon. Perhaps it is considered a social phenomenon. In terms of sociology, security is not only limited to the state

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and police institutions, but perhaps consists of social structure and social factors interacting with each other (Nasri, 2002: 119).

4. Elements of Sociology of Security

In the sociology of security, elements such as social cohesion, group cooperation, sense of belonging to social values, social capital, social trust, social movements, social security are examined.

This study focuses on three important elements (social capital, social security and social trust) among these elements.

4.1. Social Capital

Social capital is one of the important elements of security. Social capital plays an important role in protecting the rights of future generations, in social justice, in the fair distribution of income and resources, and in sustainable development in society. Social capital has been defined and interpreted in different ways.

Social capital emerges from the relationships between people. If social relations among people are strong enough, social capital can be easily formed. It plays an important role in advancing the goals of the individual and society. Social capital makes a great contribution for individuals to achieve their common goals (Redadi, 2008:188).

In general, social capital refers to norms, institutions, laws, methods, social customs, behaviors and rules in society (Nasri, 2002: 127).

Social capital emerges from the relationships between people. Social capital can be formed if the relationships formed among the members of the society are strong enough. Social capital is a phenomenon that exists in these relationships. It is used to advance individual and community goals. Social capital helps individuals to achieve common goals (Redadi, 2008:188).

Social capital is defined as resources that inherit social relationships and facilitate collective action. As well as being a source of socialization, it consistently supports individuals to achieve a common goal within the group (Zahidi et al. 2009: 111).

Social capital consists of trust, mutual understanding, and shared values and behaviors that connect active relationships, human networks and groups among people and create an environment for cooperation.

Fukuyama discussed the relationship between social capital and economic development. Social capital increases honesty, safety and trust among individuals and encourages them to cooperate.

According to this definition, trust, network, civil society and the like associated with social capital are shadow elements that emerge as the results of social capital, but they do not constitute social capital itself (Fukuyama, 2010:143-144).

Social capital is linked to socialization, social control, social adaptation, and social order and security. Societies that lack social capital face crime, disorder and aberration (Amiriyan et al. 2020: 477).

Thus, social capital makes an important contribution to the provision of social security and to prevent the occurrence of anomalies and social crimes. It also bases the positive and active participation of the individual in social life with the effect of social capital. Lack of social capital causes social deviations and threats to security in society.

Social capital is an effective factor on the sense of security. Social capital contributes to the formation of social trust, social participation, social solidarity, social control and social identity. In fact, it is possible to increase the sense of security by using the potential of social capital and increasing the collective identity.

4.2. Social Security

Social security is a category shared and common by individuals and government. Therefore, the same situation is observed in the increasing inseparability of the state and society and the insecurity of both. Security has become a serious problem in the world with the decrease in trust between the people and the state and the decrease in the state's control over societies, the emergence of separatist movements, the increasing migration and refugee flow, and political and social conflicts (Navidniya, 2004, 61).

In other words, social security is the ability of society to maintain its basic characteristics under harsh conditions. Researchers draw attention to the close relationship between identity, society and security and emphasize the security of the identity of the society itself.

In general, the sense of security can be expressed as: Being able to carry expensive items such as wallets, gold, ornate jewelry at the neighborhood level, parking the car for long periods of time day and night, being able to walk around the neighborhoods, and allowing children to go shopping late at night or during the day; playing games, going to school, walking on the quiet streets of the neighborhood, using the parks and green areas of the neighborhood, shopping malls, bus and metro stations and shops, walking around the streets inside and outside the neighborhood. (Amiriyan et al. 2020: 479).

From the point of view of the sociology of security, security is the removal of distrust between individuals and groups in social relations. The basic idea of the sociology of security is neither international security nor national security, but rather the security of individuals and social groups.

According to the approach of the sociology of security, security is linked to its social background. In this respect, security is considered as a social process. In other words, the element of security cannot be understood without considering the social factors. Societies with high levels of cohesion, trust and social interaction are more capable of confronting crime and disorder and maintaining security (Arefi et al. 2020: 477).

4.3. Social Trust

Social trust is a perception of the honesty, integrity, and reliability of others. It is not much fun to live in a place where you think most people cannot be trusted (Singha, 2019).

https://medium.com/@konnks666/what-is-social-trust-2457fef85c7a (12/10/2022).

In general, social trust is the trust in strangers, people who have little personal acquaintance with their community. Social trust is the assurance that people conform to social norms, recognized and shared social rules. People actually expect each other to abide by social rules and generally-accepted norms. Social trust forms a practical and strategic environment. A safe environment based on social trust is provided for the development and progress of society (Waller, 2019:2).

Social trust is one of the important aspects of human and social relations between individuals, groups and social institutions. It plays an important role in creating and maintaining order and social cohesion during social interactions and mutual actions between individuals and social

groups. It considers social trust as a platform for social interactions and a central factor of social capital.

5. Conclusion

Social capital and social security, by performing the most important basic functions in society, provide order in society and suitable living conditions for people. From the perspective of sociology of security, security provides suitable conditions for social life in society; It plays a serious role against social and political crises and problems. Based on this, the sociology of security provides important opportunities to protect our social life, eliminate risks, make the best use of opportunities and improve the level of social life.

According to the sociological analysis, social capital, social security and social trust are considered as influencing factors in order to achieve sustainable security. In addition, social capital and social security play an important role in social change.

Social capital is an effective factor on the sense of security. Social capital contributes to the formation of social trust, social participation, social solidarity, social control and social identity. In fact, it is possible to increase the sense of security by using the potential of social capital and increasing the collective identity.

According to the approach of the sociology of security, security is linked to its social background. In this respect, security is considered as a social process.

From the point of view of the sociology of security, security is the removal of distrust between individuals and groups in social relations. The basic idea of the sociology of security is neither international security nor national security, but rather the security of individuals and social groups.

From a sociological point of view, security has a social basis. One of the most important elements that play a role in the formation of security in society is social capital, social security and social trust. These three categories must be given great consideration to ensure sustainable security.

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CYBER SECURITY & DEFENCE:
ITS IMPORTANCE IN MAINTAINING PUBLIC ORDER & INTERNAL SECURITY OF MUSLIM NATIONS

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Abstract

Due to the global pandemic, Muslim and Non-Muslim nations are seeing more cyberattacks on their systems in the past two years. Cyber security protection is especially crucial for the defence of any nation as any breaches can lead to public disorder and threaten internal security. With technology constantly evolving, cybersecurity become more and more of a concern and is a necessary investment for government agencies. Cyber criminals are constantly developing new ways to attack systems and the agencies that host them. Based on a research of 1200 security and IT leaders,[1] it is reported that 51% of the breaches was due to "business email compromise" (a rise from 42% a year ago); 39% of organisations report "insider attacks" (up from 27% a year ago); 79% say they have encountered "ransomware attacks"; and 35% admit one or more of those attacks led them to lose access to data and systems. Additionally, 40% of the respondents report a "regulatory violation" (up from 28% a year ago). The same research shows how vulnerable organisations are to sophisticated cyber-attacks. The costs of these intrusions are phenomenal such as lost business, ransoms, security risks and reputation loss. The downtime related to the intrusions are hugely expensive for the entire organisation as the average annual cost of downtime tied to cybersecurity attacks for organisations today is about USD 33.6 million. Thus, data breaches if not efficiently managed, can lead to the downfall of a nation. In Malaysia, the average cost of a data breach in the public sector has grown by 79% in 2021, compared to 2020. Due to the growing concerns on cyber security, this research will analyse the global cyber security challenges, and how Malaysia as a Muslim nation manages

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[1] From various industries- aerospace and defense, consumer packaged goods, education, financial services (banking, securities, insurance), healthcare, technology, life sciences, manufacturing, media, energy, retail/wholesale, telecom, transportation/logistics, utilities. And countries- Australia, Canada, France, Germany, India, Japan, Netherlands, New Zealand, Singapore, United Kingdom, United States.

its cyber security protection. As hackers get more sophisticated, so are the tools to stop them, and some popular forms of cybersecurity technology include 'Artificial Intelligence (AI)' and Machine Learning', 'Intrusion Detection and Prevention Systems', 'Anti-malware', 'Mobile Device Management', 'Network Access Control', 'Next -Generation Firewalls' and 'Authentication and Authorisation'. However, it will be shown that even these tools are inadequate. Given the potential attacks on systems, recommendations are made to ASRICA to be proactive by establishing a clear security awareness vision and culture charter and developing meaningful, outcome-driven security metrics.

1. Introduction

Cybersecurity protection is especially crucial for the defence of any nation as any breaches can lead to public disorder and threaten internal security. Cyber criminals are constantly developing new ways to attack systems and the agencies that host them. As technology is constantly evolving, government agencies need to invest in cybersecurity defence to counter the cybersecurity threats. Cyberattacks can come in the form of hacking, serious and organized cybercrime, cyber extremism/terrorism, and state-level cyber-aggression. If data breaches are not efficiently managed, it can lead to a crippling of the economy and eventual downfall of a nation. Nearly 40% of WEF leaders cited cybersecurity "as a clear and present danger to the global economy". Cyber risk is the greatest risk facing our economy and is a global problem requiring global cooperation.

According to the World Economic Forum (WEF) Global Risk Report 2021, the top three short-term risks to the world as defined by its survey of 650 WEF leaders, are (1) infectious diseases; (2) income inequality and (3) extreme weather events. Notably absent from such high-level discussions are the cyber risks to government, nation states and private companies in relation to cyber-attacks and cyber-sabotage. But while there is some degree of global cooperation for addressing the first three issues, to date, there has not been that same level of cooperation around cybersecurity.

However, with recent nation-state attacks, governments around the world are beginning to show grave concerns about the mounting risks of cyberattacks against their critical infrastructure when a Ukrainian energy provider was cyber-attacked. This has raised the possibility that Russian cyberattacks could spill over to the rest of the world, and nations around the world are feeling nervous about this prospect (Shaun Nichols, 2022). The US federal government was also hit when a suspected Russian cyberattack has breached at least six cabinet-level departments due to systemic vulnerabilities in the software supply chain.

Following the unprecedented economic costs imposed on Russia due to the country's invasion of Ukraine, some cybercrime groups have publicly pledged support for the Russian government with the threat of such cyber-operations coming "in retaliation for perceived cyber offensives against the Russian government or the Russian people." This intel was provided by the cybersecurity agencies of the countries comprising the FireEye alliance which also warned of a possible rise of cyberattacks and cyber sabotages.

Due to the growing concerns on cyber security worldwide, this research will analyse the global cyber security challenges, and how Malaysia as a Muslim nation manages its cyber security protection. This study also recommends ASRICA to be proactive and adopt its own integrated and dynamic cyber defence framework that is systematic and cohesive to promote active cyber defence capability. It is also important for ASRICA to establish a clear security awareness vision and culture charter and develop meaningful, outcome-driven security metrics.

2. International Laws and Conventions on Cyber crimes

Cybersecurity is a global problem and a global response is needed. There is already in existence a 20-year-old Convention on Cybercrime (aka the Budapest Convention) which has been ratified by 65 nations. But this convention focuses primarily on nation states assisting each other in the prosecution of cybercrimes. Given the current political scenario where Russia continues to increase cyberattacks on Ukrainian critical infrastructure, the Convention needs to address the modern issue of nation states attacking private sector companies and their stakeholders.

What the Budapest Convention lacks is that it does not set the rules of engagement for nation states in cyberspace. There are no clear definitions of unacceptable nation state cyber behaviour or conduct. It does not provide a legal framework for international prosecution of violators. Due to the legal weakness of the Budapest Convention, nation states are launching damaging cyber-attacks with relative impunity. The Geneva Convention on the other hand has a clear definition for war crimes and it provides the framework for accused war criminals to be tried in the International Criminal Court. The International Criminal Court tries individuals for genocide, war crimes, crimes against humanity, and aggression. Since nation states clearly fall under the aggression category, could the same court be used to try nation states for cybercrimes? Perhaps this could be possible if there are clear definitions of unacceptable nation state cyber behaviour. Should there be an international engagement to steer toward a much-needed Geneva Convention-like treaty to counter cybercrimes?

It appears that governments are pumping up on building cyber-resilience since February 2022 due to the ever-escalating cyberthreats from state actors and criminal groups.[1] It was reported that US President Joe Biden had signed the 'Strengthening American Cybersecurity Act 2022'

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[1] Before the Russian invasion of Ukraine, governments across the globe were already considering cybersecurity strategies to counter the ever-escalating cyberthreats from state actors and criminal groups.

on March 15th. 2 This Act requires companies dealing with critical infrastructure3 to report substantial cyberattacks to the Cybersecurity and Infrastructure Security Agency (CISA) within 72 hours and all ransomwares' payments within one day4. What this disclosure law/regulation has done was to change the perception of a cyberattack, from a private company matter to a public threat or disorder.

Other international organisations like the United Nations and Atlantic Council have called for a similar global construct that defines acceptable cyber conduct and provides the legal framework to act when that construct is violated (Kevin Lynch 2021). It was recommended that the G20's5 attention to cybersecurity should be more focused on getting nation states to agree not to attack economies6. Their efforts should not only focus on helping the victims but also to restrain the offenders. G20 should design an agreement that defines critical infrastructure and to solicit consensus from member states that they will not attack it. This definition should include the world's financial system as it is the most important infrastructure to the global economy. According to Kevin Lynch from Forbes:

> "The G20 has the economic might to impose punishing sanctions against those who violate the rules. This could all be executed through due process, with an independent cybercrime body referring cases to the International Criminal Court, where any offending state would be able to defend itself".

The European Union has followed suit with several new directives and regulations and additional funding specially aimed at enhancing the EU's cyber-resilience and the role of EU institutions, as well as facilitating greater cooperation between member state bodies. In response

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[2] This legislation comes as part of a trend, following the Colonel Pipeline attack in May 2021 when President Biden signalled a new role for cybersecurity and asked for a "whole-of-government approach" to cyberthreats. The attack is a reminder of growing cyberthreats to critical infrastructure while also showing why providers of essential services are ripe targets for cybercriminals.

[3] Five broad sectors can be identified as critical infrastructures, particularly in modern developed countries: information and communication, banking and finance, energy, physical distribution (transportation networks). Among these, information and communication infrastructure are vulnerable to cyber-attacks. Since other critical infrastructures are interconnected through information and communication networks, they are also vulnerable to cyber risks

[4] There are reports that Colonel Pipeline paid the Darkside cybercriminal gang USD 5 million

[5] The Group of Twenty, or G20, is the premier forum for international cooperation on the most important aspects of the international economic and financial agenda. It brings together the world's major advanced and emerging economies.

[6] G20 created a digital economy working group in 2016, however its attention to cybersecurity has been lacking; it is more focused on promoting uniform cybersecurity best practices across the digital economy.

to Russia's invasion, the EU deployed for the first time the Cyber Rapid Response Team (CRRTS)7 to assist Ukraine with mitigating cyberthreats.

The UK's National Cyber Strategy 2022 sets out the government's approach to protecting and promoting the UK's interests in cyberspace with confidence to keep them ahead of their adversaries and strengthen their ability to act in cyberspace and their ability to shape tomorrow's technologies so they are safe, secure and open. They plan to ensure that the UK continues to be a leading responsible and democratic cyber power (Gov.UK 2002).

3. Malaysia's Cybersecurity Strategy

The Government of Malaysia (GOM) launched the Malaysia Cyber Security Strategy (MCCS) 2020-2024, with an allocation of US$434 million to step up the national cybersecurity preparedness and upgrade the country's cybersecurity measures.

The GOM is continually identifying the appropriate Cybersecurity technology and partners. This will open opportunities for US Cybersecurity companies to export their products and services to Malaysia and the ASEAN region. From a regional cooperation standpoint, ASEAN members will invest US$171 billion collectively on Cybersecurity between 2017 and 2025.

The MCSS outlines five strategic pillars as guiding principles to improve the country's cybersecurity management over the next five years:

1. The first pillar is to boost national governance and cybersecurity management by improving Malaysia's critical ICT infrastructure.
2. The second pillar focuses on bolstering current cybersecurity laws by reviewing related legislation and formulating new laws on cybersecurity.
3. The third pillar focuses on empowering world class innovation, technology, R&D and industry.
4. The fourth pillar on improving cybersecurity talents in Malaysia, creating awareness and education

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7 Cyber Rapid Response Teams (CRRTS) allow the Member States to help each other to ensure a higher level of cyber resilience and collectively respond to cyber incidents. Support is given in monitoring the threat landscape, detecting and mitigation of cyber-attacks or supporting the further investigation of cyber-attacks. The 8-12 Cybersecurity experts are pooled from 6 participating EU Member States-Croatia, Estonia, Lithuania, the Netherlands, Poland and Romania. The CRRTS were activated following a request from Ukraine to help the country's institutions facing cybersecurity challenges.

5. The fifth pillar on strengthening global collaboration and leveraging regional cooperation to protect its cyberspace.

However, in 2022, Malaysia has been ranked tenth among the top 10 Asian countries that are the least secure to work remotely8. Indonesia and Cyprus were ranked as the least cyber-secure country not only in Asia but also in the world.

Just to add another perspective, according to the team at the Belfer Centre for Science and International Affairs at Harvard's Kennedy School, the 10 most powerful countries in the world/ in cyberspace are: (1) United states, (2) China, (3) United Kingdom, (4) Russia, (5) Netherlands, (6) France, (7) Germany, (8) Canada, (9) Japan and (10) Australia. Israel is listed as the eleventh most powerful nation in cyberspace. And Estonia is 14th. (Secureworld.io/in)

In determining the National Cyber Power Index (NCPI), the research team has taken what it calls an "all of country approach" to determining and ranking cyber power. The group identified seven national objectives that countries pursue using cyber means. The seven objectives are:

1. Surveillance and Monitoring Domestic Groups;
2. Strengthening and Enhancing National Cyber Defences;
3. Controlling and Manipulating the Information Environment;
4. Foreign Intelligence Collection for National Security;
5. Commercial Gain or Enhancing Domestic Industry Growth;
6. Destroying or Disabling an Adversary's Infrastructure and Capabilities; and
7. Defining International Cyber Norms and Technical Standards.

Even though the United States is ranked number one overall, China continues to build on its cyber strengths. In several cyber power categories, it now leads the world. And in at least one instance, Russia also tops the United States. For example, on cyber surveillance power, China is the most powerful in cyber. Researchers say Russia is second in the category and the United States is third; whilst on cyber defence power, China is also ranked number one in this category, followed by the Netherlands and France, then the United States and Canada. Researchers concluded that the United States leads in cyber offense, influencing cyber norms, and cyber intelligence.

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8 This was a study commissioned and released by UK-based Reboot Digital PR Services on the safety of digital nomads.

4. Cyberattacks & Global Cybersecurity Challenges

Cybercrime is defined as any crime that involves the use of computer or internet. It could be Phishing, stalking, fake offers, hacking for fun or hacking for financial gains. Cyber criminals are constantly developing new ways to attack systems and the agencies that host them.

Based on a research of 1200 security and IT leaders, it is reported that 51% of the breaches was due to "business email compromise" (a rise from 42% a year ago); 39% of organisations report "insider attacks" (up from 27% a year ago); 79% say they have encountered "ransomware attacks"; and 35% admit one or more of those attacks led them to lose access to data and systems. Additionally, 40% of the respondents report a "regulatory violation" (up from 28% a year ago).

The same research shows how vulnerable organisations are to sophisticated cyber-attacks. ICT dependence becomes more prone to vulnerabilities in times of social unrest, political tensions, and other appalling events. The costs of these intrusions are phenomenal such as lost business, ransoms, security risks and reputation loss. The downtime related to the intrusions are hugely expensive for the entire organisation as the average annual cost of downtime tied to cybersecurity attacks for organisations today is about USD 33.6 million.

Cyberattacks perpetrated by different actors along a spectrum can broadly be divided into four types: (1) hacking, (2) serious and organized cybercrime, (3) cyber extremism and (4) state-level cyber-aggression. These types of cyber-attacks vary with respect to the kind of target, attack methods and degree of impact.

Figure 1: Types of Cyberattacks/Cyber Crimes

Types	Definition	Examples
Hacking	An attempt to exploit a computer system or private network inside a computer. It is the unauthorised access to or control over computer network security systems for some illicit purpose	These include financial gain, theft of personal data, access to confidential information, the desire to take down websites, as well as idealism and political activism.

Types	Definition	Examples
Organised Cybercrimes	Organised cybercrime networks are made up of hackers coming together because of functional skills that allow them to collaborate to commit the specific crime. Syndicates, corporate-sponsored hacking, cyber terrorism, and state sponsor of cybercrime forms the essence of this type of organised crime.	Black market networks, for instance "Dark market", are engaged in a variety of cybercrimes such as theft, buying and selling of personal data from bank accounts, credit cards, identity numbers and passwords as well as trade of botnets, meaning compromised computer networks. Organized criminal groups like Japanese Yakuza use cyberspace for a number of illicit activities: drug trafficking, money laundering, counterfeiting, bank frauds and piracy.
Cyber extremism/terrorism	It is the use of computers and internet to cause severe disruption or widespread fear in society	They disturb normal routine, issue threats and harm people badly, hijack data and ask for ransom for returning it using ransomware.
State-backed cybercrime/aggression	Hackers who work for the government and have state immunity for their crimes.	This is a new form of warfare in which cyberspace is strategically used to facilitate conventional military attacks.

Types	Definition	Examples
	State-sponsored cybercrime can bring down essential services of other countries. They can hack into the network of electricity department and take down the entire grid so that people are left without power for days.	This kind of "cyber-enabled" physical attack first disrupts critical infrastructure to facilitate a physical attack on a military target.

Cyber risks continue ranking among global risks and global leaders have to cope with many challenges as illustrated below

Figure 2. Global Cybersecurity Challenges

Challenges	Recommendations
More complex cybersecurity challenges	The complexity of digitalisation means that governments are fighting different battles-from "fake news" intended to influence elections to cyberattacks on critical infrastructure. With risks mounting, decision-makers and leaders need to acknowledge that cybersecurity is a national security priority.
Fragmented and complex regulations	Privacy and data protection regulations are necessary but can also create fragmented, and sometimes conflicting priorities and costs for companies that can weaken defence mechanisms. Policies must be creative in increasing protection while decreasing regulatory complexity. Cooperation among different policymakers is critical.

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Challenges	Recommendations
Dependence on other parties	An inclusive and cross-collaborative process involving teams across different business units is vital to make sure there is an acceptable level of visibility and understanding of digital assets as cybersecurity cannot be addressed in silos.
Lack of cybersecurity expertise	The cybersecurity skills gap and rapidly evolving cyber threats come at the top of most cybersecurity challenges list. Organisational priorities should include a proactive plan for each business to build and maintain its own cybersecurity workforce.
Difficulty tracking cyber criminals	Policymakers can help by working with cybercrime experts to establish internationally accepted criteria for attribution, evidence, and cooperation in pursuing cyber criminals and bringing them to justice.

5. Inadequacy of Traditional Cyber Defence Technologies

Due to the emergence of Internet of Things, cloud computing and other evolving technologies, security problems in cyberspace are becoming more and more serious. The traditional cyber defence technologies such as firewall, authentication and authorisation, network access control, information encryption, intrusion detection system, vulnerability scanning and virus protection, Artificial Intelligence (AI)' and Machine Learning, Anti-malware, Mobile Device Management', and Next -Generation Firewalls, have provided a certain degree of security. However, with the development of diversification attacks with a higher degree of sophistication and intelligence, the traditional cyber defence is inadequate. Major security incidents, such as Wanna Cry ransomware virus, eBay data breach, have repeatedly shown that cyber security faces serious challenges over the years

One dominant reason for the inadequacy of traditional cyber defence is that most solutions are static in nature, for example, computing devices, systems, and data are within a fortress which has layers of defence such as access firewalls, intrusion detection and intrusion prevention systems, anti-malware software, access control systems, continuous monitoring systems, and log systems. If an attacker can bypass the layers of defence, access to valuable information can be easily gained.

The static characteristics are further consolidated with the implementation of static Ethernet addresses and static IP addresses, which serve as targets for search engines (example Shodan which discovers any devices connected through the internet). In addition, the use of TCP/IP stack may introduce other risks and unexpected consequences. The remotely exploitable TCP/IP stack vulnerability could allow an attacker to launch man-in-the middle attacks (MitM) against products that accessible via the Internet (Kovacs, 2015)

Figure 3: Reasons why existing defence mechanisms are inadequate to prevent various types of attacks

Weaknesses	
The universality of vulnerability.	Limited by the technological capabilities and engineering skills, it is impossible to fully avoid, detect and eliminate vulnerabilities in static hardware/software components, systems, tools, environments, and protocols.
The easy installation of backdoors	Under the globalization of the information industry, it is easy to implant backdoors through the product design chain, the tool chain, manufacturing chain, processing chain, supply chain, service chain, and other links.
The oneness of genes in cyberspace architecture	Cyberspace technologies and system architectures have homogeneity (e.g., use the same processor, operating system, office

Weaknesses	
	software and database). Due to their static, deterministic and similar situational mechanisms (e.g., system configuration, operation agreement, topology, and transport routes), the ecological environment is very fragile. It not only causes vulnerability and makes the backdoor be attacked easily, but also enables the attack chain to be sustained and effective for a long time.
The asymmetry between offense and defence	From the perspective of attackers, all it takes is a single exploitable vulnerability in the entire security chain to disrupt or take control of the entire system. Meanwhile, it has a target space that is almost free from any constraint. Moreover, they have the initiative to launch sudden attacks at any time. From the perspective of defenders, they have to defend against known and unknown threats in all aspects of the communication network and information system.

It is shown here that the traditional cyber defence is not flexible in dealing with variations of attacks or with zero-day attacks. The available approaches are either only about "strategies" or only about "tactics". There is no integrated approach that deals with both levels in a systematic way. What is needed is a new "dynamic cyber defence" that integrates both levels.

6. Dynamic vs Static Defence

As cyber-attacks are still the greatest threat in communication networks, nations need to change defence strategies and innovate defence mechanisms, otherwise they will be prone to attacks and limiting the effects of their defence methods.

What is needed in this situation is to adopt a strategy of dynamic defence in cyber security. By constructing and implementing the diverse strategy of dynamic transformation, the

configuration characteristics of systems are constantly changing, and the probability of vulnerability exposure is increasing. Therefore, the difficulty and cost of attack are increasing, which provides new ideas for reversing the asymmetric situation of defence and attack in cyberspace. Thus, what is recommended here is for nations to adopt a dynamic defence in cyber security based on Mobile Target Defence (MTD) and Mimicry Defence (MD).

7. Moving Target Defence (MTD)

MTD employs the resources, time, and space environment of the target system to present the attacker with a constantly changing attack surface. It is designed to confuse the attackers by continuous and dynamic changes which is intended to increase the cost, complexity, and failure rate of the attack. This increases the difficulty of the attacker's cognition of the target system and will effectively reduce the duration of system vulnerability exposure. This way attackers barely develop effective attack methods against the target system in a limited time. It is important to note that MTD is not a specific defence method but a design guideline. It is important to note that MTD is not a specific defence method but a design guideline.

8. Mimicry Defence (MD)

Mimic Defence (MD), as a neoteric active defence technology in cyberspace, aims to improve the anti-attack capability of information devices through endogenous mechanisms of its construction. The core idea of MD is to organize multiple redundant heterogeneous functionalities to jointly handle the same external request. Meanwhile, MD implements dynamic scheduling based on negative feedback among multiple redundancies to compensate for the security flaw in the current cyberspace.

9. Conclusion

Cyberspace has become a hotspot for ideologically and politically motivated extremists. With the migration of real-world organized crime to cyberspace, nation-states are vulnerable to cyberattacks if they do not have the advanced technology to defend their critical infrastructures. Countries' dependence on ICT makes them more prone to vulnerabilities in times of social unrest, political tensions, and other appalling events. The world economy will be crippled due to data breaches and disruptions.

Global cooperation can only be the way forward to beat cyber criminals at their games. Cyber criminals are usually set with a transnational agenda. Being transnational, this poses a challenge for law enforcement agencies. While cyber criminals can operate transnationally without being

detected, authorities across the world have yet to agree to cooperate with one another. (Muhammad Riaz Shad).

Before the Russian invasion of Ukraine, governments around the Globe were adopting cybersecurity strategies to counter cyberthreats from state actors and criminal groups. But the new risks perceived by governments since February 2022 are fuelling a new urgency and a new approach towards building "cyber-resilience".

In the face of growing and evolving cyber threats, it is highlighted that there is a need for a "whole-of-society approach" and "partnerships with the private sector" at its heart to protect nation-state digital assets, as no government can address these threats alone. This kind of collaboration can be forged in areas such as education, building cyber resilience, testing and incident response (Andy Garth, ESET Government Affairs Lead).

The traditional cyber defence is not flexible in dealing with variations of attacks or with zero-day attacks. The available approaches are either only about "strategies" or only about "tactics." There is no integrated approach that deals with both levels in a systematic way. What is needed is a new "dynamic cyber defence" that integrates both levels.

However, current research on "dynamic defence technologies" is still in its infancy. The theoretical study and engineering applications are said to face several challenges in (1) the theoretical model of dynamic defence mechanism; (2) the mechanism strategy of dynamic defence; (3) the theoretical method of measuring the effectiveness of dynamic defence; and (4) the index system of the influence of dynamic defence on system performance, etc. What is required here is an in-depth theoretical study and system improvement of dynamic defence to give theoretical guidance and practical significance for promoting active defence capability.

The author is hopeful that once a model framework is drawn up, it could provide the template for ASRICA to beef up its cyber security capability and defence. Cooperation amongst members of ASRICA should also be given priority to prevent cyberattacks on critical infrastructure. To borrow a quote from the Global Cybersecurity Index:

> "The ongoing threats highlight an urgent need for cooperation among countries to mitigate cybersecurity issues such as cybercrime, cyberattacks on critical infrastructure, and offensive operations. Emerging cyber threats could precipitate massive economic and societal damage, and international efforts need to be agreed and acted upon in response to this new trend."

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