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The Peace Treaty's Consequences and After Effects

A logical result that arises in the human mind is that a treaty is meant to be implemented, but if one of the parties breaches the contract, it loses its utility. That is why Islam attaches great importance to promises and agreements and emphasizes that if the Muslims make an agreement even with the infidels, they must abide by it. Not only that, but breach of covenant is considered a base act in Islam. The Holy Qur'an says:

"But because of their breaking their covenant, we cursed them and made their hearts hard" (***5:13***)

"(***Those***) ***who violate the covenant of Allah after its confirmation, and cut asunder that which Allah commands to be joined, and make mischief in the land are the losers."*** (***2:27***)

These Qur'anic verses clearly state that those who breach a treaty are cursed by Allah, Almighty Allah makes their hearts hard, they make mischief in the land and they act against the commands of God. As far as the covenant between Imam Hasan (as) and Muawiya is concerned, the historians have no doubt that firm commitments in this regard had been taken from Muawiya.

He had made promises with Imam Hasan (as) and had a covenant with Allah as well. The historians and biographers also do not disagree that Muawiya, instead of honouring the covenant, openly violated it. A writer like Zuhri also writes that Muawiya did not act according to any one of the terms and conditions agreed in the covenant with Imam Hasan (as). 1

Haseen bin Munzir said: "By God, Muawiya did not act according to any term or condition of the covenant with Imam Hasan (as); he murdered Hajar and his companions; he got allegiance for his son Yazeed as the crown prince; and he poisoned Imam Hasan (as)." Ibn. Abi al Hadid has copied this sentence from Madaini. Apart from him, Baladhuri and other writers have also mentioned it.2

Muawiya announced the breach of the covenant with Imam Hasan (as) from the pulpit at a time when the grandson of the Holy Prophet (saws) had formally announced its acceptance. He acted accordingly

during his reign by destroying all the Islamic values. Muawiya openly acted against the Holy Qur'an and Sunnah not only in regard to the concept of Baitul Maal but in distribution of its amount as well.

Similarly, he acted against the rule of inheritance, against the principles of dealing with non-Muslims and in many other such instances. In fact, he adopted an aggressive practice against the commands of the Holy Qur'an and Sunnah. A clear example of the same is the case of Ziyad bin Sumayyah. However, to decide whether he was successful in his manipulations or that Imam Hasan (as) did not get anything, will be premature!

As far as the aims and objective of Muawiya are concerned, the analysis by the researchers shows that his ultimate aim was not to defeat Imam Hasan (as) in the battlefield, because if he had been martyred, Muawiya would have only achieved political leadership and his rule would not be considered legal and in accordance with Shariah. 3

His real aim was to get a legal status for his government which was possible if Imam Hasan (as) abdicated in his favour and, through the peace treaty, gave him the right to rule. For this reason, he was offering peace from the beginning and was frightening the Iraqis with the consequences of war.

When, through disorder, the internal conditions in his own army became apparent and it was most difficult for Imam Al-Mujtaba (as) to continue the war, then he agreed for peace with Muawiya, but he was only willing to allow him the right to rule in accordance with the terms of the treaty.

There was wide disagreement between the two sides about the terms and conditions of the peace treaty, but when Imam Al-Mujtaba (as) refused to agree to peace under unreasonable conditions, then Muawiya had to agree to all the terms and conditions proposed by the Imam (as) and the treaty was signed accordingly.

Muawiya had thought that he would overcome the will of the Imam (as) through power, money and military strength, like he had managed with the Iraqi army personnel and the landlords of Kufa. The Syrian army had made a show of strength and Muawiya put full political pressure on the Imam (as) that he should formally accept Muawiya as a caliph, but the Imam (as) not only did not accept him as a caliph.

But rather called him an oppressive ruler and one who was after power at any cost and who had considered enjoying the pleasures of the world as the ultimate aim of his brief life. Due to the will power and extreme determination of the grandson of the Holy Prophet (saw), which Muawiya could not visualize earlier, he had to accept the condition that he was only a monarch and not a caliph.

It is quite likely that Muawiya would have practically acted against the peace treaty in any case, yet his open announcement of the same from the pulpit, in the presence of a large assembly of Muslims of Kufa, shows his strong reaction. This reaction became visible when he failed in his main mission.

It is a great political victory of Imam Al-Mujtaba (as) that through his words and action he proved the difference between monarchy and caliphate. That is how Muslim thinkers and the ulama could clearly distinguish monarchy from caliphate and declared Muawiya as a monarch.

Had the Imam (as) not succeeded in his mission, the Muslims would not have been able to understand the difference between monarchy and caliphate till Doomsday. It is a tragedy that knowledgeable persons have seldom appreciated this great achievement of Imam Al-Mujtaba (as)!

As far as the utility of the terms and conditions of the Peace Treaty is concerned, it was not restricted to their enforcement only; rather it had a wider implication, which should be looked at from different angles.

The first condition of the Treaty was that Muawiya was obliged to act according to the Holy Qur'an and Sunnah. Some researchers think that, like other earlier caliphs, the Imam (as) had only formally put this condition as part of the treaty.

However, we do not consider this analysis as correct as it is evident that although the Imam (as) knew that Muawiya would not act according to the Holy Qur'an and Sunnah yet this way the Imam (as) granted only those actions of Muawiya as legal which were according to the Holy Qur'an and Sunnah. If Muawiya acted against the Holy Qur'an and Sunnah, then the responsibility for those actions could not be placed on Imam Hasan (as) as he had not accepted Muawiya as having full authority.

Moreover, if the Muslim Ummah had awakened and launched a movement under the guidance of the grandson of the Holy Prophet SAW), then Imam Hasan (as) would have been legally justified to boycott the government of Muawiya and lead the movement against him as he was not acting according to the Holy Qur'an and Sunnah and was thus breaching the agreement.

The second condition of the agreement was that Muawiya did not have the right to nominate his heir apparent and after him the reign of the government would be handed back to Hasan bin 'Ali (as).

There is no doubt that Muawiya was all the time scheming to nominate his son Yazeed as his heir apparent. However, though he had all the worldly power, he did not dare do so in the life of Imam Hasan (as). Once he did try to launch a movement to declare Yazeed as his heir apparent but the Iraqi delegation told him clearly that during the life of Imam Hasan (as) they could not give such an allegiance.

Dr. Syed Abdul Aziz Salim writes: "Muawiya made up his mind to get allegiance for Yazid, particularly when Moghira had already sent a delegation of the people from Kufa. However, he waited so that Hasan bin 'Ali (as) and the sons of the Companions of the Holy Prophet (saw) may not be able to protest against this step. So, he postponed the announcement of the crown prince till after the death of Imam Hasan bin 'Ali (as)."[4]

Not only were Imam Al-Mujtaba (as) and the Companions of the Holy Prophet (saw) against this

nomination, but his own governors would also have opposed it. The names of Ziyad bin Abih and Marwan bin Hakam could be taken in this respect. Maulana Maodoodi writes that Muawiya wrote to Marwan bin al Hakam, the governor of Madina that he had become old and wished to nominate someone in his life time as his successor. 5

This shows that the policies of Imam Al-Mujtaba (as) were so effective and his influence among the Muslims so great that even though Muawiya wanted to, yet he could not violate this condition during the lifetime of the Imam (as). So he did it after the martyrdom of the Imam (as).However, the fact remains that even then he did not succeed in his plan and Imam Al-Mujtaba (as) and his brother Imam Husayn (as) were successful in their mission.

When Muawiya bin Yazid (Muawiya the Second) confessed in 64 A.H. that his father and grandfather had oppressed Hazrat 'Ali (as) and the progeny of the Holy Prophet (saws), desecrated the Holy K'aba, shed the blood of Muslims, due to which he was not prepared to share that blame and cursed such monarchy. So, the family of Muawiya lost the monarchy to another family after four or five years. 6

As per these conditions, Muawiya was obliged to protect the life, property and honour of the public and would not file suit against the Shias of Imam 'Ali (as). Though outwardly there was peace, and civil war among the Muslims had been avoided after the Peace Treaty, yet there was no freedom for the general public the opponents of Muawiya were tortured and sometimes, to keep them out of his way, Muawiya used to get them killed and their property etc. destroyed.

We do not intend to go into the details, yet the fact remains that Muawiya tried all possible means to strengthen his rule. Although Muawiya and his government did not indulge in mass killing of the Shias, yet oppression and injustice was practised against them. They were forced to use unworthy words against Hazrat 'Ali (as) and those who refused to do so, their life, property and honour were in danger.

Ziad bin Abih, the governor of Muawiya, turned out a large number of Shi'as from Kufa to Khurasan and forced them to fight against the Khawarij. An important case of the murder of Shi'as during the rule of Muawiya is that of Hajar bin A'dee and his companions, the details of which we will discuss later.

This incident also did not occur during the life time of Imam Al-Mujtaba (as). Therefore, it is not difficult to conclude that Imam Al-Mujtaba (as) was successful in saving the life and honour of the majority of his Shi'as and other followers.

He had made it known in his speech as well, telling the people that although the peace agreement was a big test for them and he was not unaware of its consequences, yet they should realize that whereas the Hallowed and Glorified God had guided them to the light of righteousness from the darkness of infidelity and polytheism through the guidance of his illustrious grand father, He had protected their life and honour through him (the Imam (as)).

The fifth condition was that Muawiya would not indulge in any conspiracy against the progeny of the Holy

Prophet (saw). Although clear historical proof of Muawiya breaking this condition is not available, yet when he became old, he wanted that his son Yazid should become the caliph, though he had not been able to attain that status himself. He realized that during the life time of Imam Al-Mujtaba (as), he could not succeed in getting the allegiance for Yazid from the Muslims.

Therefore, he started the conspiracy to martyr Imam Al-Mujtaba (as). However, he did not want to get involved directly in the conspiracy of shedding the blood of the Imam as he was afraid of its consequences. But Marwan bin Hakam did the job for him. Some researchers try to exonerate Muawiya from this crime. In the chapter on the martyrdom of Imam Al-Mujtaba (as) we have examined the narrations and the views expressed by the researchers.

Yet no one can deny that it was a common practice of Muawiya in those days to get an opponent killed to get rid of him. 7

Imam Al-Mujtaba (as) was the greatest stumbling block in the way of his son becoming the heir apparent. Although Muawiya was successful in his conspiracy against the Ahlul Bayt (as) of the Holy Prophet (saws) after ten years of the peace treaty, by getting Imam Al-Mujtaba (as) poisoned, but the Muslims had developed strong feelings of hatred and enmity against him due to this act.

That is the reason why the researchers in general, who are not Shi'a, condemn this step strongly and consider it a dirty crime. The sixth condition of the peace treaty was that Imam ‘Ali (as) will be remembered with dignity and honour.

Allama Maududi writes in the book 'Khilafat-o-Mulukiyat':

"Another very loathsome schism, started during the reign of Muawiya, was that he himself, and under his instructions all his governors, very frequently used to revile Hazrat ‘Ali (as) so much so that in the mosque of the Holy Prophet (saws) itself, and from the pulpit, just in front of the mausoleum of the Holy Prophet (saws), they used to swear to Imam ‘Ali (as) who was one of the dearest relations of the Holy Prophet (saws).

To include such dirty language in the Friday sermon was particularly an abhorable act from the religious and cultural point of view. On assuming the power, Hazrat Umar bin Abdul Aziz changed this and such other bad practices of his family."8

Not only Allama Maududi but all historians mention this act in their valuable books and all students of history know that it is an established fact. Therefore, there is no need to quote the historical references for the same. Allama Ibn. Athir Jazaree writes that Muawiya had made an agreement with Imam Hasan (as) that he would not use undesirable words against Hazrat ‘Ali (as) during the life time of Imam Hasan (as) but he did not fulfill this condition as well.

Muawiya had introduced this schism with considerable pressure. In the whole Muslim world, wherever

Friday prayers were held, Hazrat ‘Ali (as) was reviled in the sermons from the pulpit and, God forbid, it was said that Amirul Muminin Hazrat ‘Ali (as) was an enemy of God, and abusive words against him were used in the 'Qunoot'. This schism continued until the rule of Hazrat Umar bin Abdul Aziz.

Ahlul Sunnat complain that the companions of the Holy Prophet (saws) are called names but they forget the harsh reality that it was Muawiya who started to indulge in mud slinging against the Companion of the Holy Prophet (saws).

Imam Al-Mujtaba (as) knew that Muawiya would indulge in taunting remarks and abusive language against his illustrious father. That is why he put this condition in the peace treaty and made it quite clear to Muawiya that he would take very serious notice of such practice which would not at all be tolerated.

Amirul Muminin Hazrat ‘Ali (as) had himself predicted before his followers that Muawiya would indulge in using undesirable words against him and would force others to do the same. A sermon of the Imam (as) in *Nahjul Balaghah* is a proof of the same.

Dr. Taha Husayn writes:

"In spite of the fact that Imam Hasan (as) wanted to maintain the policy of understanding with Muawiya, yet when Imam Hasan (as)'s father was remembered with undesirable words or when the Imam (as) would come across someone who had conspired against his father or revolted against him, Imam Hasan (as) would show extreme disapproval and it would result in even harsh words being exchanged." 9

Ibn. Abi al Hadid quotes Madaini that Imam Hasan (as) warned Muawiya bin Khudaij and Habib bin Muslama of the curse of Almighty God and very serious consequences for reviling Hazrat ‘Ali (as). 10

These two persons were prominent among those who used to propagate the policies of Muawiya and were his blind followers. Imam Al-Mujtaba (as) warned them, Muawiya, and his other followers as well, that he would not keep quiet simply by putting the condition in the peace treaty; rather he would encounter this dirty politics of Muawiya with full force at his command.

Abul Faraj Isphahani writes that after entering Kufa, Muawiya addressed from the pulpit while Imam Hasan (as) and Imam Husayn (as) were sitting near it. Muawiya used abusive language against both Imam ‘Ali (as) and Imam Hasan (as).

At this Imam Husayn (as) revolted, rose to reply but Imam Hasan (as) caught hold of him, asking him to sit down and himself rising, said:"O, the one calling ‘Ali (as) names, know that I am Hasan and my father is ‘Ali (as) while you are Muawiya and your father is Saghar; my mother is Fatima (sa) and your mother Hind; my grandfather is Muhammad (saws) the Holy Prophet, and yours is Uteba bin Rabia'h; my grandmother is Hazrat Khadija (sa) while yours is Qateela.

May God curse the one among us who is not spoken well of, whose family is remembered with contempt, whose mischief and rebellion spread in the past and present and whose infidelity and malice

are quite old." Hearing this all the persons siting in the mosque immediately said amen ('Ameen').

This shows that Imam Al-Mujtaba (as) resolutely opposed this reprehensible practice and strongly resisted Muawiya's politics in this regard. He did not come down to the level of Muawiya but replied him in such a dignified manner that all the Muslims supported him despite Muawiya's political and military strength. All the writers of the incident have said amen and we feel that every Muslim will say amen at this prayer of Imam Al-Mujtaba (as).

Imam Al-Mujtaba (as) organized a group, led by Hajar bin Adi, who started to resist this schism and gave up their lives for the cause, proving that they were ready for martyrdom but would neither use any words against the true caliph of the Holy Prophet (saws), the leader of the pious ones, nor would allow any one to do so.

Although these persons sacrificed their lives to protect their faith, this incident created very strong feelings of anger, revolt and revenge in the whole Muslim Ummah against Muawiya and his government which continued for a long time. That is why the historians reserved pages after pages of their books for this incident. We will try to throw more light on the incident in later chapters.

Anyway, the fact remains that Muawiya did not honour this condition of the peace treaty and started a most undesirable schism against Hazrat 'Ali (as). But history shows that he had to pay a very heavy price for the same. The resistance against him was not an ordinary one but behind it was the political thought and planning for the same by Imam Al-Mujtaba (as), whose political and religious support started the protest movement with the result that the schism could not last long.

We have provided the evidence that Imam Al-Mujtaba (as), rather than demanding financial support, had asked for compensation for those who had suffered in the wars during the period of his illustrious father in Siffin etc.

The acceptance of this condition by Muawiya implied that he had accepted that he was responsible for shedding the blood of Muslims in these wars by starting the aggression, and therefore that he should be the one to pay the reparation for the same to those who had died or were injured in these wars. The historians write that Muawiya instigated the people of Basra, telling them that Imam Hasan (as) wished to empty their Baitul Maal. Being misled by Muawiya's agents, the inhabitants of Basra refused to pay the revenue of Darab Jerd, saying that it was their money. [11]

Though Muawiya did not pay the war reparations to those who had fought on the side of Hazrat 'Ali (as), but as a consequence, they also went further against him, realizing that Muawiya was not prepared to pay their due share as well. Anyway, the confession made by Muawiya in this regard was itself his political defeat.

Conclusion

We have only thrown some light on the results of the terms and conditions of the Peace Treaty, but persons with deep insight into the atmosphere, political background and the issues involved at the time conclude that, under the difficult conditions, all the political and other steps taken by Imam Al-Mujtaba (as)) at the time were much deeper and calculated than those of Muawiya bin Abi Sufyan.

The grandson of the Holy Prophet (saws) had not only taken into account the conditions prevailing at the time but had the foresight of future as well. He took the maximum advantage of diplomatic and political conditions prevailing at the time. The proof of the success of his political moves is that the well known political and religious personalities of the time, including the wives of the Holy Prophet (saws), his Companions and ulama, came out in strong opposition to Muawiya.

1. Tabari - 'Tarikh al-Tabari', Beirut: Darul Kutub al Ilmiah 1988, vol 3, p. 167.
2. . Ibn. Abi al Hadid - 'Sharh al-Nahjul Balaghah', Cairo, Mustafa dar al Babi, 1962, vol. 16, p.17; Baladhuri - 'Ansab al Ashraf', Beirut, Dar ul Ta'aruf, 1977,vol. 3, p.47.
3. Husayn Muhammad Jafri - 'The Origins and Early Development of Shia Islam', Qum, Ansarian Publications, p.134.
4. . Syed Abdul Aziz Salim - 'Tarikh al Daula al Arabia, Iskandar ia: Moassasa Shabab al Jamiah, 1993,vol. 2, p.341.
5. Abul A'la Maududi - 'Khilafat -o-Mulukiyat', Lahore, Idara Tarjuman al Qur'an, 1990, p.150.
6. Yaqubi - 'Tarikh al-Yaqubi', Beirut, Dar Sadir, 1960, vol.2, p.252.
7. Amir 'Ali - 'Mukhtasar Tarikh al Arab' (the Arabic transla tion of 'afeef B'albaki), Beirut, Dar ul Ilm , 1961, p.78.
8. Abul A'la Maududi - 'Khilafat -o-Mulukiyat', Lahore, Idara Tarjuman al Qur'an, 1990, p.154.
9. Taha Husayn - 'Islamiyat, al Fitnatul Kubra - 'Ali-o-Nubuwah', Beirut, Darul Ilm, 1991,p.986.
10. Ibn. Abi al Hadid, 'Sharh al-Nahjul Balaghah', Cairo, Mustafa al Babi, 1962, vol.16, p.18.
11. Baladhuri - 'Ansab al Ashraf', vol. 3 p.47; Ibn. Athir - 'Al Kamil fi al Tarikh, Beirut: Dar Ahya al..., 1989, vol. 2, p.446.

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