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# The Terms of the Peace Treaty

Before starting a discussion on the peace treaty, it is considered necessary to state that the historians have very boldly tried to keep the world in the dark about the clauses and the relevant details of the peace treaty. Was the treaty between Imam Hasane Al-Mujtaba (as) and Muawiya bin Abi Sufyan, signed in 41A.H, so unimportant that its details may be ignored? The researchers agree that not only are there surprising disagreements on the issue but there are so many ambiguities and misunderstandings as well. 1

The historians themselves mention that the grandson of the Holy Prophet (saw) had himself advanced many conditions, had taken so many commitments and assurances and had only then agreed to peace.

These terms, which had been proposed by Imam Hasan (as), were in the interest of Muslim Ummah in general and the treaty was signed with the witnesses of prominent personalities of Iraq and Syria. Before going into the details of the treaty, it is essential to briefly review the historical sources.

The historians Masudi and Yaqubi do not mention the terms at all. Similarly, Ibn. Hajar 'Asqalani and Hakim Naishapuri do admit that (Imam) Hasan (as) had made peace only after so many terms had been agreed and commitments and assurances given, but do not mention the details of what those conditions were.

A similar attitude can be noticed in the narration of 'Sahih-e-Bukhari' in which the details beginning with the coming of the delegations till the signing of the agreement have been given, but when the point of the terms and conditions is reached then the issue is evaded by writing 'etc. etc.' but it is accepted that the Syrian delegation had accepted all the terms and conditions of Imam Hasan (as).

Abul Faraj Isphahani also does not take keen interest in the issue. After mentioning three conditions he says that other terms and conditions had also been suggested by Imam Hasan (as) which the delegation sent by Muawiya had accepted. The historian Tabari records the treaty (like other issues relating to Imam Hasan (as)) giving two different narrations by Zuhri and 'Awana bin Hakam.

Zuhri, instead of describing the details, tries to create some misunderstanding. As against him, Tabari records three conditions directly from 'Awana bin Hakam and the fourth indirectly. The historian Dinawari has mentioned four conditions but his sources are quite different from others. Ibn. Abi-al-HAdid takes three conditions from Madaini and the fourth one is incidentally considered as a separate issue which is taken from Madaini himself.

A more or less similar attitude has been adopted by the rest of the historians who have considered it sufficient to record one, two or at best three terms, but none of them considers it essential to describe the text of the treaty or the details of the resolutions which had been agreed to after so many exchanges and meetings between the two delegations. 2

Among the old historical records only 'Al-Futuh' of Ibn. Atham Kufi and 'Ansabul Ashraf' by Baladhuri contain the text of the treaty and five terms and conditions are mentioned in it. Outwardly, one may conclude that these were the only terms agreed upon. However, a thorough search of other records reveals that the picture is quite different as there were other conditions too!

In such a situation, neither any one historical source can be totally relied upon nor the general conditions mentioned here and there can be taken as true. Only after great effort and deep research about the available sources and the circumstances prevailing at that time, can the correct terms and conditions of the treaty can be determined.

## The Blank Paper

The historian Baladhuri writes in 'Ansabul Ashraf' that Muawiya sent Abdullah b. Amir b. Kerez and 'Abdel Rahman b. Samarah to (Imam) Hasan (as) and the two informed Imam Al-Mujtaba (as) about the damages through war and the consequences of continued bloodshed among Muslims, and indicated the willingness of Muawiya to hand over the rule to Imam Hasan (as) after his death.

In addition, they said that Muawiya would offer much more to Imam Hasan (as) in lieu of peace. Imam Al-Mujtaba (as) agreed with their ideas and sent 'Umru bin Salma Hamdani, Arhabi and Muhammad bin Ash'as Kandi along with them so that they could record the terms offered by Muawiya and may express the agreement (on behalf of Imam Hasan (as)). So, Muawiya sent the following letter to Imam Hasan (as):

"This letter is from Muawiya bin Abi Sufyan for Hasan bin ‘Ali (as). I make peace with you on the condition that after me the government will be handed over to you and I vouch for you before God, feeling obliged to God and the Holy Prophet (saws), remembering the firm pledge taken by the Glorified God from any of His bondsmen, that I will neither indulge in any intrigue against you nor would conduct any armed struggle against you.

Further that each year I will pay you ten lakh (one million) Dirham from Baitul Maal and the revenue of

Mansa and Darb Jard (Darabgard) will be reserved for you. 'Abdullah b. Amir, 'Umru b. Salma Hamdani, 'Abdel Rahman b. Samarah and Muhammad bin Ash'as Kandi are witness to it and it has been written in Rabi II 41 A.H."

When Imam Al-Mujtaba (as) read the above letter of Muawiya, he gave a brief reply in one sentence: "He is trying to tempt me about something which I would not hand over to him if I had an inclination towards it." After quoting the above sentence of Imam Al-Mujtaba (as), Baladhuri writes that Imam Al-Mujtaba (as) called 'Abdullah bin Haras b. Noful, the nephew of Muawiya, and told him that he should go to his uncle (Muawiya) and tell him that if Muawiya was agreeable to guarantee the life and honour of the general public, then he would agree to hand over the reign to him. 'Abdullah b. Haras went to Muawiya and explained the condition to him.

In return Muawiya gave him a blank paper at the end of which was the seal of Muawiya, and sent the message to Imam Hasan (as) that he may write on it (the white paper) whatever he thought fit. Imam Hasan (as) wrote the required terms and conditions on it, and after taking the signatures of the high powered Syrian delegation as witness, sent it back to Muawiya so that he (Muawiya) may affirm his agreement to all those terms and both these persons may be a witness to the agreement. 3

Ibn. Atham Kufi has also written about the blank paper with some variation. He writes: "On learning of the betrayal by Iraqi nobles and after addressing them, (Imam) Hasan (as) sent 'Abdullah b. Haras to Muawiya and stated that if Muawiya is ready to protect the life, property and honour of all men, then he would give allegiance to him, otherwise he would not do so.

When 'Abdullah b. Haras reached Muawiya, he (Muawiya) wanted to know the terms of peace. He added a few conditions (the same which, according to Baladhuri, had been suggested by Muawiya). At this Muawiya asked for a blank paper and putting his seal on it with his own finger, said:

'Take this page to Hasan (as) and tell him to write in it whatever he wishes. All his (Muawiya's) companions are a witness that he has willingly put the seal by himself.'" 4

After studying these two historical sources also, the issue is not clear as to why the need for sending the blank paper arose when Muawiya had agreed to all the terms and conditions conveyed by the representative of Imam Hasan (as)? However, after studying other historical documents, the problem is solved.

These documents clearly indicate that Imam Hasan (as) had demanded some terms and conditions from Muawiya before agreeing to peace. These included the issue of the next caliph and general peace and order to be included in the peace treaty, as Imam Hasan (as) had demanded that the caliphate must be returned to him after the death of Muawiya and that the people of Iraq, Hijaz and Madina would not be arrested for having fought Muawiya in the days of his (Imam's) father.

Muawiya was ready to accept all the terms and conditions of Imam Hasan (as), except that he could not

guarantee the safety of ten persons who included prominent persons like Qais b. S'ad against whom Muawiya had vouched to cut his tongue and hands whenever arrested. Imam Hasan (as) conveyed to Muawiya that in such a situation, he was not prepared for peace with him.

Learning this, Muawiya put his seal on the blank paper and handed it over to the representative of the Imam (as) so that he may write what he thought appropriate and that he was willing to accept all the terms of the Imam (as) regarding peace. Imam Hasan (as) wrote all the terms and conditions demanded by him and sent it back to Muawiya.

When Muawiya agreed to those terms and a promise for the same was taken from him in the presence of responsible persons, only then the agreement was reached between the two sides according to which Imam Hasan (as) agreed to hand over the government to Muawiya for a given time (i.e. till the time Muawiya was alive). 5

The narration about the blank paper and related facts can also be traced from other historical sources which show that the delegation of Muawiya had accepted all the demands of Imam Hasan (as) and both sides had arrived at total agreement before the treaty. 6

For that reason, a team of researchers supports the narration about the blank paper being sent and agreement between both sides being reached on the terms written down by Imam Hasan (as). For the same reason, the year of the treaty is known as "A'am al-Jama'at" (the year of understanding). 7
Zuhri also does not deny the existence of "sahifa-e-baiza", i.e. the white paper, but he mentions its dispatch at a time which does not seem to be logical. Zuhri claims that when the conditions in Iraq deteriorated, then Imam Hasan (as) wrote to Muawiya about peace and put forward his conditions.

At the same time Muawiya had sent a delegation with a blank paper which had the seal of Muawiya. When the blank paper was presented to the Imam (as), he added more terms for peace and kept it with him. On his side, Muawiya agreed to the terms of peace as indicated in the letter of Imam Hasan (as), but refused to agree to additional terms.

When the two sides met, there was disagreement between them about peace. Imam Hasan (as) stated that the terms and conditions written in the blank paper are reliable while Muawiya said that he agreed to the original terms but did not agree to the conditions added later. Due to this disagreement, Muawiya did not fulfill any of the conditions of Imam Hasan (as). 8

Later historians, who include Ibn. Athir, Abu Mustakuya and Dr. Taha Husayn, were also misled by the above misunderstanding created by Zuhri. 9

These persons do not totally rely on Zuhri's narration, yet they have faced some difficulty in this regard. We have discussed Zuhri's narrations about Imam Hasan (as) in previous chapters and have proved that Zuhri is so much biased against Imam Hasan (as) that he defends Muawiya even at the cost of Imam Hasan (as).

By the assumed misunderstanding he wants to give the impression that if Muawiya did not fulfill the terms of Imam Hasan (as), its reason was not breach of the agreement but mutual differences, in which in a way both were right. However, no other historical reference is available to show that all the issues had not been settled between the two sides before the agreement, as claimed by Zuhri.

On the other hand, all historians agree that both sides had agreed on the terms of the treaty before its being signed, but Muawiya did not honour it after the treaty had been signed and announced. Another reason for Zuhri's version being unreliable is that he neither narrates the conditions of the agreement proposed earlier, nor the details of those added later, nor is he able to give any logical timing of the blank paper being sent!

The learned scholar Sheikh Razi Ale Yasin gives his opinion about the blank page sent by Muawiya in the following words: "The historians and biographers have changed the detailed terms and conditions of the peace treaty into an abridgment for the reason that 'on the basis of write whatever conditions you wish, as you have the right for the same',

They feel that, as the blank paper had the seal of Muawiya, Imam Hasan (as) might have put as many conditions in it which he considered appropriate or which suited his aims and objectives, whether those related to his own self or his Ahlul Bayt (as) or his Shia. No other doubt exists on the said issue"!

He further writes: "if today the situation is that we cannot clearly distinguish all the terms of the agreement, so what? We know this much that all the terms were in favour of Imam Hasan (as) and could lead to his success. So, all those terms and conditions which would be to the advantage of Imam Hasan (as) and to the disadvantage of Muawiya, would be correct (would be part of the agreement). This is due to the fact that Imam Hasan (as) was absolutely free to write in the agreement whatever he thought fit." [10]

## The Terms and Conditions of the Peace Treaty

The peace treaty between Imam Hasan bin ‘Ali (as) and Muawiya bin Abi Sufyan was signed on the following terms and conditions:

1. Hasan (as) would hand over the rule, or government, to Muawiya provided he acts according to the Holy Book of God, the Sunnah of the Holy Prophet (saws) and the character of pious and virtuous caliphs.

2. Muawiya does not have a right to nominate anyone after him. The rule would be handed back to Hasan (as) after him, or according to some narrations, it would be left to a consultative body ('*shura*') of Muslims.

3. The life, property and honour of the general public, whether black or white, belonging to Syria, Iraq, Tihama, Hijaz or which ever area, would be safeguarded.

4. The life, property, and honour of Shias of Imam ‘Ali (as) and their family members, will be protected and Muawiya bin Abi Sufyan is bound by the covenant of Almighty God in this respect and he will honour his covenant with Almighty God in this regard.

5. Muawiya will not take any open or secret action against Imam Hasan bin ‘Ali (as) or against Ahlul Bayt (as) of the Holy Prophet (saws) and he will not try to terrorize them anywhere on earth.

6. Imam ‘Ali (as) will be remembered with honour and dignity and he will not be reviled, according to some narrations, in the life time of Imam Hasan (as) no abusive language against Hazrat ‘Ali (as) will be used.

7. Muawiya will hand over the Bait-ul-Maal of Kufa and the revenue of Darab Jard (Darabgard) to him (Imam Hasan (as)) so that he may meet his expenses from the same and may repay the debt and other dues.

# Analysis of the Terms and Conditions

## Following the Book and Sunnah

"Hasan (as) would hand over the rule, or government, to Muawiya provided he acts according to the Holy Book of God, the Sunnah of the Holy Prophet (saw) and the character of pious and virtuous caliphs;" 11

In the above first condition, many points have to be thoroughly studied: The Imam (as), by demanding Muawiya to follow the Book and Sunnah as the first condition of the Treaty, proved that acting according to the Book and Sunnah was the ideal goal of the Imam (as), and if he was handing over the reign temporarily to Muawiya, then only his steps in accordance with the Shariah would be considered legal.

Accordingly, if Muawiya went against the said condition and Imam Hasan (as) were able to rule again, then he would have the legal right to claim it back from Muawiya. In fact, the Imam (as) had restricted the actions of Muawiya to be within law and constitution. Incidentally, by adding the virtuous character of pious caliphs as a condition, he had by implication also proved that his father was a pious and virtuous caliph and the feelings and ideas of Muawiya about him were wrong.

If earlier his father had not accepted the condition (of following the previous caliphs) in the '*Shura*' of Hazrat Umar, it was due to the fact that he did not consider their style in accordance with religious standard and he himself had better grasp and understanding than them of the issues relating to the Holy Qur’an and Sunnah.

## Monarchy or Caliphate

Another important point for consideration in the above condition is whether Imam Al-Mujtaba (as) had handed over the rule over Muslims and the government to Muawiya through peace treaty, or he had

given allegiance to Muawiya as a caliph and had accept ed the caliphate of Muawiya formally.

It should be clearly understood that often such language has been used in historical versions which implies that either Imam Hasan (as) had shown his willingness to give allegiance to Muawiya, or had assured him of following him completely, or handed over the caliphate to him, or, in the words of historian Ibn. Qutaiba, had handed over the Imamat to him!

We are not concerned about the words used. Ahlul Sunnat in this regard differentiate between caliphate and 'Khilafate Rashida' (truly religious caliphate). Without going into this argument, we have to find an answer to the question whether Imam Hasan (as) had handed over the caliphate to Muawiya and accepted him formally as a caliph and had given allegiance to him (i.e. the way the allegiance was given by the Muslims wherein the commitment of complete obedience to the caliph was made).

Alternatively, whether Imam Hasan (as) had made a peace treaty with Muawiya like an agreement between two parties in any other dispute, rather than giving allegiance and, through the agreement, he had temporarily handed over the government to Muawiya on specified conditions and not the high religious authority which is called 'caliphate'?

Imam Al-Mujtaba (as) was a duly elected and formal caliph of Muslims. His caliphate had all the legal and constitutional validity which was in accordance with the practice among the Muslims at the time.

Not only the leading personalities and the residents of Haramain Sharifain had paid allegiance to him but he also had the support of all the states and the opposition by Syria and Egypt could not affect the constitutional position, especially as a period of six months had elapsed since his taking over as the caliph.

If Imam Hasan (as) had given allegiance to Muawiya or had agreed to hand over the caliphate to him, granting him the legitimacy of caliphate, then Muawiya would have been included among the true Islamic caliphs ('Rashidin Caliph') and no political opponent of his would have been able to challenge that status as Hazrat Abu Bakr had also nominated Hazrat Umar as caliph.

However, the fact remains that after fourteen hundred years, even the supporters of Muawiya cannot dare claim that Muawiya was a truly Islamic caliph ('Rashid Caliph'). Muawiya understood the point very well and when he fully realized the political plan of Imam Hasan (as), even before the formal announcement of the peace treaty, he publicized that Imam Hasan (as) had accepted him as a caliph.

Perhaps he thought that through a large army, military strength and repenting his earlier deed against Imam Hasan (as), he would be successful in getting recognition as a caliph. However, despite the political and military pressure, the grandson of the Holy Prophet (saws) not only refused to accept Muawiya as a caliph, but accused him as being power hungry and declared his government as oppressive and illegal. We will discuss the details of this aspect in subsequent chapters.

For that reason, though some historians have shown anxiety, a majority of them have expressed words like 'tasleem-ul-amr' (acceptance of the order) or 'nuzool-ul-hukm' (receipt of a directive), which clearly indicate that the Imam (as) had only relinquished power, or handed over government, to Muawiya. A team of current researchers supports this view. A few leading ones among these are:

Justice Amir 'Ali,
Dr. Abdel Salam Turmanini,
Dr. Syed Muhammad Vakil,
The scholar Razi Aale Yasin. 12

It was Imam Al-Mujtaba (as)'s maturity of thought, example of excellence, courage, and the success of his political foresight which resulted in Muawiya being considered as a monarch or king by all sections of the society at that time, and he had to accept that status. A clear example of the same is that after Imam Al-Mujtaba (as), S'ad bin Abi Waqas, the well known Companion of the Holy Prophet (saws), addressed Muawiya as 'monarch'. 13

However, there is no historical significance of allegiance to Muawiya after peace. Rather some researcher or historian, while discussing the peace, might only guess that Imam Hasan (as) might have given allegiance.

The scholar Razi Aale Yasin, while discussing the issue of monarchy or caliphate, writes:

We know for sure that referring to Ahlul Bayt (as), Muawiya told his son Yazeed 'certainly it is their right'! It is also in our knowledge that while offering peace, Muawiya wrote to Imam Hasan (as): 'the affairs will not be decided without your order nor shall your views be opposed on any issue.' "!!

We are also aware that after taking over the reigns, Muawiya while addressing from the pulpit at Kufa, said: "I did not wage war against you that you may say the prayers and observe fast, I only fought against you that I may rule over you."!!! We have also learnt that Imam Hasan bin 'Ali (as) had refused to accept Muawiya as caliph, on which Muawiya kept quiet and could not refute him.

The scholar Aale Yasin, analyzing these arguments, draws the conclusion that: "Now we can say with certainty that when Muawiya took over the rule, he did not assume caliphate. And when he himself said that 'I did not wage war against you that you may say the prayers and observe fast...', then he himself proved that he was not a religious guide or caliph but an ordinary ruler having worldly consideration, who was not interested in prayers or fasting. All that he wanted was to rule over the people.

Similarly, Muawiya's words 'decisions will be taken with your (Imam's) consent' or 'the right belongs to them', clearly indicate that he conceded that Imam Al-Mujtaba (as) had such a high religious standing which Muawiya could not challenge. Certainly, caliphate is nothing other than that high status! For that reason, when Imam Hasan (as) declined to accept his caliphate and said that he was claiming caliphate without any justification, Muawiya had no choice except to keep quiet. 14

## The future of Caliphate

"Muawiya does not have the right to nominate anyone after him. After him the authority shall return to (Imam) Hasan (as). According to some narrations, 'after Muawiya, it will be left to '*Shura*' of Muslims as they deem fit'."

Imam Hasan Al-Mujtaba (as) knew the intentions of Muawiya very well. He knew that Muawiya will change the Islamic system of government to the kingdom of Qaiser and Kisra and it will become his family hierarchy. Therefore, the Imam had, by agreement, taken away the right of nomination of heir apparent from him.

What is narrated by some that the grandson of the Holy Prophet (saw) had advanced the condition that Muawiya will not nominate anyone after him but rather the election of the caliph will be left to the '*Shura*' of Muslims, is not correct. 15

'Allama Ibn. 'Abdul Barr writes: "There is no difference of opinion among ulama that Imam Hasan (as) had offered the rule to Muawiya till his life time only. Therefore, it had to return to Imam Hasan (as) after him and this was one of the conditions of the agreement between the two.

Imam Hasan (as) considered it advisable not to shed the blood of Muslims for the sake of caliphate and made the agreement, though he considered himself much more entitled to caliphate." 'Allama Ibn. 'Abdul Barr quotes many narrations in which the condition of the government being returned to Imam Hasan (as) is very clearly mentioned. 16

Hafiz Dhahabi also writes about this condition very strongly in his various publications. He also quotes 'Umru bin Deenar according to whom Muawiya had made the agreement with Imam Hasan (as) that if he meets with any accident, the rule will be returned to Imam Hasan (as). 17

All the historians and researchers who have mentioned this condition are: Ibn. S'ad (according to Ibn. Hajar 'Asqalani), Ibn. Hajar Asqalani (Al-asabah fi Tamyiz al-Sahaba) Ibn. Asakir (Tarikh-e-Ibn. Asakir), Muhib al-Tabari (Dhakair al-Uqba), Ibn. Qutaiba Dinawari (al-Imamah wal-Siyasa), Husayn Dayar Bakri (Tarikh al-Khamis), Suyuti (Tarikh al-Khulafa), Ibn. Abdul Barr (al-Istiab) Hafiz Dhahabi (Tarikh al-Islam-o-al-'abar) Dr. Abdul Salam Tarmanini (Ahdas al-Tarikh al-Islami) 18

All these writers have clearly written that, according to the agreement, the rule had to return to Imam Hasan (as) after Muawiya. Apart from this, there are other sources of evidence after which no element of doubt remains in accepting this condition.

In this regard, attention is drawn to those letters of Muawiya, written before peace, wherein he had offered the future government to Imam Hasan (as) and had confessed that he (Imam Hasan (as)) was the rightful claimant of the same. In addition to these letters, another argument is available from Ibn. Qutaiba Dinawari and other sources.

They write that when Muawiya tried to appoint Yazid as his heir apparent and invited delegations from different areas, all the others agreed but when the Iraqi delegation was asked about it, its leader Akhnaf bin Qais said:

"(O Muawiya) you have already made an agreement with Imam Hasan (as) in the name of God (and religion), of which you are well aware, that after you, the government will be his." 19

Only the historians Ibn. Aasam Kufi, Baladhuri and Ibn. Abi al-HAdid Mo'tazilli disagree with this condition and state that Imam Hasan (as) had said that the choice of future incumbent of caliphate should be left to '*Shura*'. 20

The other writers do not write anything about the appointment of the future caliph.

Firstly, this disagreement does not have much force in that if the Muslims were consulted, whether in the life of Muawiya, or after him, they would not elect anyone except Imam Hasan (as) as they loved him more than even his father. However, it seems that by adding the condition of '*shura*' an impression has been given that Imam Hasan (as) had abdicated and had handed over the rule to Muawiya.

Therefore, after Muawiya he needed a fresh mandate for caliphate, which would be available through '*shura*'. But these writers ignore the fact that Imam Hasan (as) had put in all the terms and conditions in the blank paper which he thought fit; he had completed six months of caliphate and had handed over the rule to Muawiya for a given period.

Therefore, the authority to rule over Muslims should have been returned to him according to law and ethics and it does not make sense that he himself would raise the issue of '*shura*'. Ibn. Aasam Kufi and Baladhuri also write that Muawiya had offered the future rule to Imam Hasan (as) but they claim that the Imam (as) had shown no inclination towards it.

We feel that these writers have mixed up two issues: one, concerning the destiny of Muslims, and the other, regarding worldly rank and wealth. Imam Hasan (as) had not shown disinclination towards the guidance of Muslims, or caliphate. He had rather shown no interest towards worldly status and the collection of wealth through it.

We have discussed the issue in the earlier chapter on 'the philosophy of peace'. In support of the argument is the narration of Baladhuri himself wherein he has mentioned that when Muawiya offered his future rule and huge sums of money to Imam Hasan (as), he had replied: "he is tempting me towards something which, if I had any inclination towards the same, I would not offer it to him." 21

Dr. Taha Husayn has also arrived at the same truth. He adds another point in this connection that, in the opinion of Imam Hasan (as), Muawiya did not have any right to nominate anyone as his heir apparent. In his book 'Fitnatul Kubra' he writes:

"Muawiya had made three offers to Imam Hasan (as): (1) he would nominate him as his crown prince; (2)

he would pay him ten lakh (one million) Dirham every year from Baitul Maal; and (3) he would pay the tax revenue of two Persian states to him. Imam Hasan (as) did not accept the offer as, according to him, Muawiya did not have the right to one of these, i.e. the issue of appointing the crown prince." 22

It can be clearly concluded that Imam Hasan (as) had not totally rejected the offer of Muawiya but rather that Muawiya did not have the right to offer the same. In the language of 'al-Futuh' the historical record by Ibn.

Atham, there is a contradiction, or may be, some confusion, when on the one hand, it is stated that these conditions were proposed by the delegation of Imam Hasan (as), while, on the other, it is mentioned as an offer by Muawiya. After the above arguments, we are firmly of the opinion that this is not a correct statement.

In some narrations not only by Shias but others as well, it is stated that Imam Hasan (as) had put the condition that after him the caliphate would be handed over to Imam Husayn (as) and he would be his heir apparent. Justice Amir 'Ali, the author of 'Roohe Islam' (the soul of Islam), also supports this view.23

It is not improbable that due to the danger to his life, he might have had the foresight and selected, among all, Imam Husayn (as). Behind this decision of the Imam were not the family traditions or the fear but rather the religious principles and the political philosophy of his grandfather, the Holy Prophet (saws), who had very well introduced the abilities of these two brothers and had clearly shown the Muslims their leadership qualities through so many of his traditions. However, it may be said that the fact of Imam Husayn (as)'s nomination is not so well recorded in history.

## The restoration of Peace and Order

"The life and property of all persons, whether black, red (Persian slave) or of whatever colour, and living in Syria, Iraq, Tihama, Hijaz or anywhere else, will be protected and they will not be harmed." 24

This condition reflects that one of the top priorities of Imam Hasan (as) was to provide protection of life, property and honour to all men. With the conquest of vast territories, many Persians, named as 'Humaraa', had also been enslaved along with the blacks and had become part of the Muslim Ummah.

Due to the tribal and the feudal system of the Arabs, they had not yet been granted full citizenship rights. Rather, they were oppressed. Rising above the consideration of Muslim or non-Muslim, master or slave, the Imam (as) had made peace with Muawiya on the condition that he will protect the life, property and honour of all persons.

This way the Imam (as) proved that he was above the distinction based on colour, religion or race was very serious about restoring peace, and that it was his goal to protect the life, property and honour of every person living in the Muslim society.

## The Shias of ‘Ali ibn Abi Talib

"The life, property, and honour of Shias of Imam‘Ali (as) and his family members, will be protected and Muawiya bin Abi Sufyan will honour his covenant with Almighty God in this regard" 25

In the previous chapters we have indicated that wars between Syria and Iraq had been going on for a long time, beginning with the 'Siffeen' war during the period of Imam ‘Ali (as) in which the supporters of the Imam and the lovers of Islam had participated in large numbers, and Muawiya's army had not only suffered huge life and property losses but had also suffered defeat in the battlefield.

The faithful to the Imam (as) were known as the Shias of Imam‘Ali as they considered the members of the house hold of the Holy Prophet (saws) as rightful claimants to the caliphate. They included many Companions of the Holy Prophet (saws) from Badr as well. Although many of these faithful followers of Imam ‘Ali (as) had been martyred, yet those that remained were wanted by Muawiya and his military commanders.

Qais bin Sa’d, the well-known leader, who was the 2nd in command of the vanguard unit, and who with a small force of four thousand soldiers, had harassed the sixty thousand strong army of Muawiya and had put up a tough fight, was one of those wanted by them.

That is why, when 'Abdullah bin Haras, the delegate of Imam Hasan (as) put it to Muawiya that if he was prepared to agree to protect the life, property and honour of the residents of Iraq, Hijaz and Madina, and to ignore their actions of the days of the Imam's illustrious father, it being a major condition, then the Imam would be agreeable for peace.

However, when Muawiya refused to grant amnesty to ten followers of Imam ‘Ali (as) and said that whenever he would get hold of Qais, he would severe his hands and feet, Imam Al-Mujtaba (as) and his representative refused to agree to a conditional peace. 26

This shows how much love and consideration for the life, property and honour of his, and his noble father's, sincere supporters and their families the Imam (as) had, as he was not prepared to make any compromise whatsoever in this regard. It was because of the firm stand taken by the Imam (as) that Muawiya sent a blank paper and had to agree to all the conditions written on it by Imam Al-Mujtaba (as).

It was a great political success of Imam Al-Mujtaba (as) that he got the agreement of Muawiya for complete protection of his sincere followers. It is the duty of a true leader to protect the life and honour of his supporters and followers or to sacrifice them for a noble cause.

In reply to the objections raised by some of his Shias, the Imam (as) had stressed this very fact that his steps were a guarantee for their survival with honour, and if he had not done so, there would have been a massacre of them. If the current religious and political leaders learn this guiding principle from Imam Hasan (as), then bloodshed and tensions among the Muslims can be considerably reduced.

## Conspiracy against Ahlul Bayt of the Holy Prophet

"Muawiya will not take any open or secret action against (Imam) Hasan bin ‘Ali (as) or against Ahlul Bayt of the Holy Prophet (saws) and he will not try to terrorize them anywhere." 27

If this condition was violated or anyone else would harm the progeny of the Holy Prophet (saws), then the blame would come to Muawiya as it was his rule. Due to the high status and the popularity of the progeny of the Holy Prophet (saws) among the Muslims, any such conspiracy was not in the interest of Muawiya.

Through this condition, in a way, it had become the responsibility of Muawiya to protect the life and honour of the progeny of the Holy Prophet (saws) and the Holy Ahlul Bayt (as).

## The undesirable schism of reviling Hazrat ‘Ali (as)

"Hazrat ‘Ali (as) will be remembered with dignity and honour and no abusive language will be used against him or, according to some narrations, it will not be practiced in the life of Imam Hasan (as)."

This condition, with some variation, has been recorded by the majority of the historians, some of the more prominent ones being: Abul Faraj Isphahani, Ibn. Abi-al-HAdid Mo'tazilli Ibn. Khaldun Ibn. Asakir ,Ibn. Kathir Sheikh Mufid The historian Tabari Ibn. Athir Ibn. S'ad Ibn. Sabbagh Maliki The scholar Razi Ale Yasin The scholar Baqar Qarshi. 28

This condition reflects that Imam Hasan Al-Mujtaba (as) was very much concerned about the high status and respect for his illustrious father. He and his group were determined to face all conspiracies meant to hurt the honour of Hazrat ‘Ali (as) and would not show any leniency in this respect.

## The Bait-ul-Maal of Kufa

"Muawiya would hand over the Bait-ul-Maal of Kufa and the revenue of Darab Jerd (Darab Gard, a state in Iran) to Imam Hasan (as) so that he could meet his expenses and pay back his debt and other dues." 29

Before deciding whether this condition is true or false, it is necessary to study the relevant details.

The historian Tabari, and later Ibn. Athir, writes that Imam Hasan (as) wanted that Muawiya should hand over to him the money available in the Bait-ul-Maal of Kufa. Muawiya agreed to this condition. At that time there were fifty lakh (five million) Dirham in that Bait-ul-Maal which (Imam) Hasan bin ‘Ali (as) took to Madina. 30

Dr. Husayn Muhammad Jafri, challenging this narration of the historian Tabari, writes:

"For two reasons, there seems to be no logical reason for this condition:"

"1. Till the time of the peace agreement, Imam Hasan (as) was the undisputed caliph of Kufa. Therefore, the Bait-ul-Maal was under his custody;"

"2. Our sources confirm that it was the practice of Hazrat 'Ali (as) that at the end of every week he used to distribute all that was in the Bait-ul-Maal. Therefore, it is difficult to believe that within the few months of the caliphate of Imam Hasan (as), despite heavy war expenses and the disorder due to the martyrdom of Hazrat 'Ali (as), fifty lakh (five million) Dirham would still be available in the Bait-ul-Maal." 31

In a few narrations it is mentioned that Imam Al-Mujtaba (as) had demanded that Muawiya should allow him to take as much money from Bait-ul-Maal as he wished so that he could repay the debt and other dues, while some others say that Imam Hasan (as) wanted that Muawiya should hand over the Bait-ul-Maal of Kufa to him.

At that time there were said to be seventy lakh (seven million) Dirham in the Bait-ul-Maal of Kufa which Imam Hasan (as) is alleged to have taken with him to Madina. Muawiya had promised to give him an additional sum of ten lakh (one million) Dirham per annum. In "Mukhtasar-al-Jame' " it is even alleged that Imam Hasan (as) had sold the caliphate to Muawiya for fifty lakh (five million) Dirham and had taken the commitment that he would pay a similar amount annually to the Imam (as). 32

According to the historian Dinawari, Imam Hasan (as) had demanded that, apart from Bait-ul-Maal, the revenue of an Iranian state Darab Jard would be reserved for him a sum of twenty lakh Dirham (two million) would be given to his younger brother Imam Husayn (as) and Bani Hashim would be given preference over Bani Abde Shams. Also, that these conditions had been included in the Peace Agreement. The condition about Darab Jard's revenue has also been mentioned by other historians. 33

All these narrations have so many inaccurate statements that the researchers doubt whether such a large amount could have been demanded from Muawiya and consider these narrations as weak. Those mentioning such narrations have used the Arabic words "qeel or yaqal" which is a clear indication that these are weak narrations.

That is why a large number of historians do not even mention these conditions. Apart from the above, many objections can be raised against these narrations:

(1). Imam Al-Mujtaba (as) was the caliph of Islam. Is it possible that he was so indebted that he needed such a large amount for its repayment while the Bait-ul-Maal of Muslims was under his own control?

(2). In the Bait-ul-Maal, along with booty, there is also the amount of propitiatory offerings and Zakat. Is it possible that Imam Hasan (as), being one of the Ahlul Bayt on whom propitiatory offerings are forbidden, had considered it lawful to use the money from Bait-ul-Maal for his personal expenses? Had he done so, would the other members of the household of the Holy Prophet (saw) not have objected?

(3). It is a hard historical fact that huge sums had been offered to the Imam (as) by Muawiya so that he

may abdicate caliphate in favour of Muawiya, but he declined Muawiya's politics of bribery and faced him boldly. He clearly indicated that if he had the love of wealth and coveted worldly power and authority, Muawiya would never have been able to snatch the same from him.

In the light of these hard facts, there is no doubt that the weak narrations, particularly those that he sold the caliphate in exchange for a certain amount and put the condition that Bani Hashim be given a higher status than Bani Umayyah, are unreliable. The fact is that in the dignified and pious life of the grandson of the Holy Prophet (saws) there is no chance of such behaviour.

In authentic narrations about him it has been stated that twice he had distributed all that he had among the needy. Similarly, in his character and manners there is no indication that he might have aired family status and ignored the principle of equality in the distribution of money from Bait-ul-Maal.

(4). From the Shia sources the narrations regarding the Imam (as) having asked for the money and revenue are not confirmed. The only demand that is confirmed is that Muawiya would pay compensation to those who were killed or injured in Siffin and other wars and the revenue from Darab Jerd would be reserved for the purpose. This appears to be a reasonable condition as Muawiya was responsible for these wars and it was his duty to compensate for the same. The scholar Baqar Qarshi writes in this regard.

"Imam Hasan (as) did not like that he should take any sum from the Bait-ul-Maal for himself or his Shias. As far as he was concerned, the propitiatory offerings are forbidden for him as well as for all Ahlul Bayt (as).

As far as his Shia are concerned, it cannot be denied that the propitiatory offerings are undesirable as these may include ill gotten money (after the payment of which the rest of the amount becomes 'paak'). Therefore, the Imam (as) did not consider it suitable for his Shias as well, and fixed the revenue from Darab Jerd (for compensation to them) which was booty, and there was no element of doubt in its use for them." 34

The scholar Hashim Ma'aruf al Hasani also doubts the weak narrations and he expresses his views thus: "These narrations lack authenticity from the point of view of continuity of source and are weak. Apart from this, it is also likely that the governments of Bani Umayya and Bani Abbas concocted such narrations just like dozens of others that they had concocted about Imam Hasan (as).

So that they may influence human minds that Imam Hasan (as) had bargained for money in exchange for caliphate and had opted for a life of pleasure, giving up the most important religious issues. These ideas were spread by an Abbasid caliph who wanted to harm the cause of Husayni followers who were active against the oppressive rulers. 35

We cannot claim that the above research is a hundred percent correct but it cannot be denied that Muawiya had offered large sums to Imam Hasan (as) which he had rejected outright as he considered it

"blackmail" and bribe.

In his opinion, Muawiya or any other caliph did not have the right to give the money belonging to Muslims to anyone – even to Imam Hasan (as). This fact has been mentioned by Atham Kufi in his history. 36

Researchers like Dr. Taha Husayn also do not disagree with these conclusions. 37

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