

Concept and Historical Process

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Backed up by reference to texts and historical events, there is an analysis common in western political and cultural circles of the Muslim relationship with the modern state. It argues that most Muslims reject the state and the demands of citizenship. The argument further asserts that Muslims reject the equality of others and the need to find a modus vivendi with them, be that within societies whose majority is Muslim or any other. This assertion rests upon the perception that ‘citizenship’ in Islam is still a matter for debate at least with respect to how it is defined and whether it really belongs within the Muslim frame of reference.

Hamilton Gibb who first put forward the thesis that Islam has no notion of ‘state’. State structures that came into being under Islam

bore the names of the families who ruled them — the Umayyads, the ‘Abbâsids, the Fâtimids, the Ottomans, etc. Frontiers were not seen as defining sovereignty or nation; borders were used to define land tax (*kharâj*) and the alms tax (*zakât*) that could be collected. The land area of the state and its sovereign control, therefore, did not define a legally recognized citizenry. Furthermore, the interaction between those living within it was governed by religious and denominational distinctions. Therefore [non-Muslims] were subject to the religious head tax (*jizyah*). People’s loyalty was not attached to the state so much as it was governed by emotional and sectarian considerations.

Sometimes this debate is blatant and at other times subtle, but Islamic revivalism has latched onto these principles elevating them to the level of theological teaching and dogma. Once the idea of the Caliphate was accepted and agreed upon as a political structure it was transformed into a matter fundamental to religion. Other ideas of the early Islamic

periods, like the Muslim ‘commonwealth’ (*ummah*) and *jihâd* and others, have received a religious patina and been given ideological status at least among certain Islamic political parties.

Clearly this has had an ongoing negative impact particularly upon Muslims who emigrate. They find themselves compromised with respect to their loyalties to the countries to which they have emigrated. Their sense of citizenship is rendered unstable by reason of their distressed perspective on the world and the people around them. God Almighty has said, “Whoever slaughters a soul save in response to murder or for sowing the earth with corruption, it is as though that person had killed all people; whoever saves a life, it is as though he gave life to all people.” (*Qur’ân, Sûrah 5:32*)

In the first instance we note that the issue of citizenship, be that from a constitutional or a legal perspective, is a modern conundrum introduced by the nation state in its current international guise. But the principles it

promotes — equality, rights, and reciprocal responsibilities that pay no attention to religion, or race, or doctrine, or political affiliation — these are bedrock Islamic principles supported by texts and the historical record. The word of God Almighty, as recorded in the Holy *Qur'ân*, speaks of truth and justice. The Holy *Qur'ân* reports that the Almighty created the human being as one soul and, from that soul, created its partner. Equality, therefore, is the rule governing human origins and human values, not least of all between man and woman. In Muslim society, as in all human societies, there are social, political and economic gradations. But there is no pyramid! There is no distinction in dignity or in justice. Human dignity is anchored in what the Holy *Qur'ân* says about the roots of the human person. This applies also to the innate value of the human being and to human rights. When the hypocrites said to the Muslims, their compatriots in the city of Madînah, ‘If we come back to Madînah, the strong will drive out the weak!’ the Holy *Qur'ân* answered that strength belongs to God,

to his Prophet, and to the faithful. These are those, according to the Holy *Qur'ân* and according to the Prophet's own witness, committed to upholding dignity and freedom.

Human equality, so dignified by the text of the Holy *Qur'ân*, has been a powerful force in Islam's worldwide mission. The folk of religious insight (*fuquhâ'*) see the People of the Book [Jews and Christians] as belonging to 'the Muslim fold' (*dâr-ul-islâm*). In modern terms that might be rendered, they have the rights of citizens. It is a recurring refrain, with regard to the people of the covenant (*ahl-ud-dhimmah*) in the peace treaties following conquests, 'They have what we have; they are held to account in the same way we are.' The experience of the Muslim state expanded to include within its embrace people other than the People of the Book — Zoroastrians, Buddhists, and Hindus. Most of the religious scholars entered them into the lists of Peoples of the Book as regards rights and responsibilities.

This has implied several things. **First**, ‘there is no compulsion in religion.’ They are free to hold to their religion, pray and conduct their religious observances. These are guaranteed under the law of Muslim society. **Second**, human freedom will be protected, including the freedom of expression and action. **Third**, there is the right to own property and to travel. **Fourth**, social security in the Muslim state embraces even the non-Muslim poor. They all benefit from the proceeds of the alms tax (not just from the treasury of the state as such). It is unreasonable to expect, in the long course of history, that everything will have conformed to the ideal, but through most of our normative history there were no policies laid down to discriminate between Muslims and non-Muslims. True, there remain issues outstanding that have to do with laws of personal status, evangelistic witness and payment the head tax (*jizyah*). We do not think these will prevail against the principle of citizenship so long as freedoms, commitments, and mutual bonds remain intact.

All of this means that the state in the Muslim social context is an administrative and political instrument for a society that is pluralistic in religion and also with regard to the whole gamut of political, social and cultural tastes. The state, therefore, looks upon its constituents with a watchful eye toward equality and commitment. Neutrality in this regard does not mean that the state pays no attention to religion (as may be the case in some of Europe's systems). On the contrary, it means that it is committed — as is required by its position of Islamic trust — to preserve religious freedom, to strengthen that which is ethical and those values that sustain social stability, security, well-being, accountability, and the rights of its individuals and groups.

The notion of citizenship has a specific and individual dimension that is the person's own. But that personal significance is incarnated within society, a body politic and a state that has the responsibility to care for its citizens. It begins with a sense of neighborhood and a willingness to show respect. Within the

dynamic of social interaction through civil society, it funnels into the effort to develop cooperation that is founded upon equality and universal justice. This all is rationalized under the umbrella of the state, its executive agencies, and its benign oversight. You cannot pull apart these interlocking circles, individual tribal, provincial, ideological or religious predilections notwithstanding. This is because citizenship is founded upon a shared language and history that conspires to defend the homeland and shoulder the responsibility to protect it.

Citizenship is not established through rendering the people docile. It must cross-pollinate with the identity the migrants in the cause of coexistence. Diversity and pluralism are the hallmarks of civilized society. But all of that returns to a sense of common direction.

As for interaction with non-citizens or those not subject to the regulations of the state, the well-known *qur'ânic* verse in the *Sûrah* of 'The Stones' applies: "O people, we created you, male and female, and formed you into

peoples and tribes so that you might come to know each other.” (*Qur’ân, Sûrah 49:13*) This brings us back to the common root of humankind. Each person has the same value. Subsequent differentiations on the basis of gender or social status do not contradict that common root but, perversely, confirm it. In the end we will come to know one another. What that means is that we will recognize each other as individuals, as people with opinions, beliefs, predilections and personal interests. First and foremost, we will recognize each other under the rubric of the one notion of human dignity. If human relations within Muslim society and beyond rest upon reciprocal knowledge and recognition, there remains no space for major conflicts except on the basis of two conditions that the Holy *Qur’ân* defines: “God does not restrict relations between you and those who show you no violence because of your religion or who do not drive you from your homes. You may declare them innocent and deal fairly with them.” (*Qur’ân, Sûrah 60:8*) Therefore there are two main threats to Islam throughout the

world. They are, on the one hand, oppression and imperialism and, on the other, discrimination and religious, cultural and racial persecution. These are two things that, in dignity, honorable and lofty-minded human nature must reject. No Muslim and not any person with a sense of his or her worth can tolerate them. Events in our new and modern world and all its institutions seem founded upon these two problems: the usurpation of property (imperialism) and religious, racial and gender discrimination.

If this is the situation, then why are Muslims so concerned about the issue of citizenship? Indeed, why does this issue so preoccupy others throughout the world? The problem does not have only one source. The world at large has to bear much of the responsibility for what we suffer in our land, as well as for the emergence of extremism. We, ourselves, must bear a great deal of responsibility for misunderstanding how we relate to others and to each other. Ours alone is the responsibility for those extremist expressions that deny the

‘other’. And that’s not just limited to calumnies against Muslims and non-Muslims. After all we have both rights and responsibilities. What we want for ourselves, for our societies and for our world at large is that we may, competently and responsibly, be enabled to rise to the challenges of accountability and move forward so that we may claim our rights.