Rights of Non-Muslims In Islam

Islam is a religion of mercy to all people, both Muslims and non-Muslims. The Prophet Muhammad (Peace be upon him) was described as being a mercy in the Quran due to the message he brought for humanity:
"And We have not sent you but as a mercy to all the worlds." [Quran 21:107]

When a person analyzes the legislations of Islam with an open mind, the Mercy mentioned in this verse will definitely become apparent. One of the aspects constituting an epitome of this Mercy is the way the legislations of Islam deal with people of other faiths. The tolerant attitude of Islam towards non-Muslims, whether they be those residing in their own countries or within the Muslim lands, can be clearly seen through a study of history. This fact is not only purported by Muslims, but many non-Muslim historians also accept it.

Patriarch Ghaytho wrote:
'The Arabs, to whom the Lord has given control over the world, treat us as you know; they are not the enemies of Christians. Indeed, they praise our community, and treat our priests and saints with dignity, and offer aid to churches and monasteries.'[Ref: Tritton, Arthur Stanley: 'The People Of The Covenant In Islam. p. 158]
Will Durant wrote:
'At the time of the Umayyad caliphate, the people of the covenant, Christians, Zoroastrians, Jews, and Sabians , all enjoyed degree of tolerance that we do not find even today in Christian countries. They were free to practice the rituals of their religion and their churches and temples were preserved. They enjoyed autonomy in that they were subject to the religious laws of the scholars and judges.[Ref: Durant, Will: 'The Story Of Civilization vol. 13. p. 131-132]

These just relations between Muslims and people of other faiths were not due to mere politics played by Muslim rulers, but rather they were a direct result of the teachings of the religion of Islam, one which preaches that people of other religions be free to practice their own faith, only accepting the guidance offered by Islam by their own choice. Allah says in the Quran:
"There is no compulsion in religion..." [Quran 2:256]

Not only does Islam demand their freedom to practice religion, but also that they be treated justly as any other fellow human. Warning against any abuse of non-Muslims in an Islamic society, the Prophet Muhammad (Peace be upon him) stated:

"Beware! Whoever is cruel and hard on a non-Muslim minority, curtails their rights, burdens them with more than they can bear, or takes anything from them against their free will; I (Prophet Muhammad) will complain against the person on the Day of Judgment." [Abu Dawud]

How far is this mannerism than the majority of nations, to this day, which not only suppress the rights of foreign religions, but also foreign peoples and races! In a time when Muslims were being tortured to death in then pagan Mecca, Jews were being persecuted in Christian Europe, and various peoples were being subjugated due to their particular race or caste, Islam called to the just treatment of all peoples and religions, due to its merciful tenets which gave humanity the right to their humanness.

The Rights of Non-Muslims in Islam (Part 2 of 13): Non-Muslim Residents

There is much talk these days about the allowance Islam gives to the existence of other religions in the world. Some of the opinion that Islam orders that Muslims fight the world until everyone becomes Muslim, creating ill feelings without actually knowing what the religion actually says in this regard, much more the existence of non-Muslims within an Islamic country. In terms of residence within Muslim society, non-Muslims are classified into three types. To understand these types will deepen one's understanding of the relationship between Muslims and peoples of other faith in an Islamic society:

Classification of Non-Muslims

A. Permanent Residents

Muslim jurists use the term 'People of the Covenant (Arabic 'dhimmi' or 'Ahl ul-Dhimma') to refer to non-Muslim residents. It is not a derogatory term, as some have made it seem. In Arabic language the word 'dhimma' means a treaty of protection for non-Muslims living in Muslim territory. A similar term, 'Ahl ul-Dhimma' , means 'People of the Covenant, because they are protected under the

covenant extended to them by Prophet Muhammad (Peace be upon him) and the Muslims.[Ref: Zaydan, Dr. Abd al-Karim, 'Ahkam al-Dhimmiyin wal-Musta'minin,' p. 20]

Non-Muslims are guaranteed protection in the Muslim society as long as they pay a head tax and abide by the specific legislations mentioned in Islamic Law. This covenant of protection is not limited to a specific duration; rather, stays in effect as long as those with whom the covenant is made abide by its conditions.[Ref: Zaydan, Dr. Abd al-Karim, Ahkam al-Dhimmiyin wal-Musta 'minin, p. 35]

The good intent behind the term 'dhimmi' can be seen in the letter written by the Caliph Abu Bakr as-Siddiq [i.e. Abu Bakr (d. 13 AH/634 CE): the first caliph after the Messenger of God. He was the best of the companions of Prophet Muhammad(Peace be upon him), renowned for his sincerity] to the non-Muslims of Najran:

'In the Name of God, the Beneficent, the Merciful. This is the written statement of God's slave Abu Bakr, the successor of Muhammad, the Prophet and Messenger of God. He affirms for you the rights of a protected neighbor, in yourselves, your lands, your religious community, your wealth, retainers, and servants, those of you who are present or abroad, your bishops and monks, and monasteries, and all that you own, be it great or small. You shall not be deprived of any of it, and shall have full control over it.... [Ref: Abu Yusuf, Kitab al-Kharaj, p. 79]

Another example is the statement of a famous classical scholar of Islam, Imam Awza'i'[i.e.Al-Awza'i (d. 157 AH/774 CE): Abu 'Amr 'Abdur-Rahman, Imam and founder of a school of law followed by the people of West Africa before they became Maliki. He lived in Syria until he died in the port of Beirut. He was the main Syrian authority on Islamic Law in his generation. He placed special emphasis on the 'living tradition' of the Muslim community as an authoritative source of law. His school of law spread in North Africa and Spain. He is buried near Beirut.] In his letter to the Abbasid governor Salih b. 'Ali b. Abdullah about the People of the Covenant,

"They are not slaves, so beware of changing their status after they have lived in freedom. They are free People of the Covenant." [Ref: Abu Ubayd, al-Amwaal, p. 170, 171, Zaydan, Dr. Abd al-Karim, 'Ahkam al-Dhimmiyin wal-Musta'minin, p. 77]

Acknowledging this fact, Ron Landau wrote:

'In contrast to the Christian Empire, which attempted to impose Christianity on its subjects, the Arabs extended recognition to religious

minorities, and accepted their presence. Jews, Christians, and Zoroastrians were known to them as the People of the and was the closest friend of the Prophet. He died at the age of 63 and was buried beside the Messenger of God, may God bless him and grant him peace. Covenant; in other words, the nations who enjoyed a protected status.' [Ref: Landau, R, 'Islam and The Arabs, p. 119]

B.Temporary Residents

This category includes two types:

1)

The residents of non-Muslims countries who are at peace with Muslims through specific peace agreements, international treaties, or other mechanisms, who temporarily come to Muslim countries for work, education, business, diplomatic missions, and so forth. Muslim jurists refer to them in Arabic as mu'aahadoon, which means, **"those with whom there is a pact"**.

2)

The residents of non-Muslims countries with whom Muslims do not have a pact of peace, or who may be at war with Muslims, who temporarily come to Muslim countries for work, education, business, diplomatic missions, and so forth. Muslim jurists refer to them in Arabic as musta'minoon, which means, **"seekers of protection"**.

All classes have general rights common to them, and exclusive rights specific to each group. We will limit our discussion mostly to the most general, common rights to avoid excessive details.

The General Rights of Non-Muslims

The expression "human rights" is relatively new, having come into everyday usage only since World War II, the founding of the United Nations in 1945, and the adoption by the UN General Assembly of the Universal Declaration of Human Rights in 1948. [Ref: "Human Rights." Encyclopedia Britannica. 2006]

Although its emergence in international law is a relatively recent development, the idea of human rights itself is not new. If one were to study and compare the Universal Declaration of Human Rights to the human rights granted by Islam 1400 years ago, one can clearly see the level of high moral ground achieved by Islam before the Universal Declaration. [Refer to Ghazali, M, 'Human Rights: The Teachings Of Islam vs. The Declaration of the United Nations]

This moral standard did not come as a result of human intellectual endeavor. The

source of Islamic morality is God. The divine standard provides true comprehensiveness and depth in human needs. It provides for everything that benefits the human race and shields it from any harm. Objective study is likely to conclude, 'there is no religion or moral code on earth that has given more generous attention to faithfully affirming these rights than Islam, detailing them, clarifying them, and expressing them. [Ref: Mutajalli, R.J.H., 'Liberties And Rights In Islam, p. 22-23]

The Shariah, which is the legal and moral code of Islam, does not confine itself to giving rights to Muslims only. One of its distinguishing features is that non-Muslim share many of these rights. As a matter of fact, the general principle is that non-Muslims have the same rights and obligations as Muslims.[Zaydan, Dr. Abd al-Karim, 'Ahkam al-Dhimmiyin wal-Musta'minin,' p. 62]

This aspect of religion is unique to Islam, and perhaps has not been attained by any other world religion. If we look at Christianity, for example, Professor Joseph Heath of the University of Toronto, says, 'It should go without saying that you can scour the Bible and not find one single mention of "rights." You can also pick through the following 1500 years of Christian thought without finding any rights. That's because the idea
is entirely absent.' [Ref: Heath, Joseph, 'Human rights have nothing to do with Christianity, Montreal Gazette, March 18, 2003]

Non-Muslims have many rights in Islam. We will limit our discussion to the most important of them, such as the freedom of belief, right to work, housing, freedom of movement, and education.

The Rights of Non-Muslims in Islam (part 3 of 13):
Right to Preservation of Dignity as Human Beings I

God has created human beings with certain dignity, Muslims and non-Muslims alike, and has elevated their status above much of His creation. Allah says in the Quran:

"We have honored the children of Adam; provided them with transport on land and sea; given them for sustenance things good and pure; and conferred on them special favors, above a great part of Our creation."

[Quran 17:70]
As a token of honor and to elevate his status, God commanded the angels to prostrate out of humility before Adam, the father of humanity. Allah informs us in the Quran:
"When We said to the angels, 'Prostrate yourselves to Adam, they prostrated themselves, but not Satan; he refused." [Quran 20:116]

God bestowed many favors on humanity, some of which are obvious, while others are hidden. For instance, He subjected the heavens and earth to human beings to honor them. Allah says:
"It is God who created the heavens and earth and sends down rain from the sky, and with it brings out fruits therewith to feed you; it is He Who has made the ships subject to you, that they may sail through the sea by His command; and the rivers (also) He has made subject to you. And He gives you of all that you ask for, but if you count the favors of God, never will you be able to count them. Surely, man is given up to injustice and ingratitude." [Quran 14:32-34]
The God-given status of humanity forms the basis of the principle of human dignity in Islam, whether the person is Muslim or non-Muslim. Islam emphasizes the origin of all humanity is one; therefore all human beings have certain rights over one another. Allah says:
"O mankind! We created you from a single (pair) of a male and female, and made you into nations and tribes, that you may know each other (and not hate one another). Surely, the most honored of you in the sight of God is (he who) is the most righteous of you. And God has full knowledge and is well acquainted (with all things)." [Quran 49:13]
The Messenger of Allah (Peace be upon him) declared in his farewell sermon, addressing the largest gathering in Arab history till that point:
"People, hear that your Lord is One, and that your father is one. You must know that no Arab has superiority over a non-Arab, no non-Arab has superiority over an Arab, or a red man over a black man, or a black man over a red, except in terms of what each person has of piety. Have I delivered the message?" [Musnad Ahmad]

An example of the preservation of the human dignity of non-Muslims is the right that their feelings be respected, for example, that they are shown good manners in speech and debate in obedience to the divine command:

“And dispute you not with the People of the Scripture, except in the best way, unless it be with those who do wrong, but say, ‘We believe in the revelation which has come down to us and in that which came down to you; our God and your God is One; and it is to Him we submit (in Islam).” [Quran 21:46]

Non-Muslims have the right not to have their religious beliefs mocked. It may not be an exaggeration to state that no other religion or sect in the world is as fair as Islam to people of other faiths. For example, let us look at a verse from the Quran: **“Say, “Who gives you sustenance from the heavens and the earth?” Say, ‘It is God; and it is certain that either we or you are on the right guidance or in manifest error.”** [Quran 34:24]

The verse ends with what Arabs linguists call a rhetorical question whose answer is common knowledge to the intended audience. The verse blends certainty with doubt: Muslims following guidance and the error of the unbelievers is presented as something doubtful. In doing so, God emphasizes the truth by allowing the reader to draw his own conclusion. God does not state in this verse who is following guidance and who is not. The verse treats the fictitious “opponent” with justice by presenting the argument and allowing the listener to judge.

Az-Zamakhshiri, a classical linguist and exegete of the Quran, elaborates this point:

‘This is equitable speech: whoever hears it, supporter or opponent, will tell the person to whom the speech is directed that the speaker has treated him justly. It draws the listener to the inevitable conclusion, after the argument has been presented, that there is no doubt about who is following guidance and who is in error. Suggestion of the facts, as if the question were a conundrum, provides a more cogent proof of the truth, the opponent being gently disarmed, without resort to heated quarrelling.’ [Zamakhshiri, ‘Kashhaf,’ vol. 12, p. 226]

An example of the style employed by the Quran would be someone saying in a debate, ‘God knows who is telling the truth and who is a liar. [Aayed, Saleh Hussain, ‘Huquq Ghayr al-Muslimeen fi Bilad il-Islam, p. 17]

God has also forbidden Muslims from speaking ill of the gods and deities worshipped by non-Muslims so that they do not speak ill of the One, True God. It will be difficult to find a similar example in any scripture of the major world religions. If the polytheists were to hear Muslims speak ill of their gods, it might lead them to speak ill of Allah (the personal and proper Name of God). Also, if

Muslims were to speak ill of pagan gods, it might instigate the polytheists to soothe their wounded feelings by hurting the feelings of Muslims. Such a scenario is against human dignity of both sides and would lead to mutual rejection and hatred. God says in the Quran:

"Do not revile those whom they call upon besides God, lest they revile God out of spite in their ignorance. Thus, We have made alluring to each people its own doings. In the end will they return to their Lord and He shall then tell them the truth of what they did." [Quran 6:108]

The Rights of Non-Muslims in Islam (part 4 of 13): Right to Preservation of Dignity as Human Beings II

Another example of how Islam gives regard to human dignity in the following example. A famous story illustrates the degree to which the caliphs of early Islam protected the dignity of non-Muslims. Amr ibn al-As was the governor of Egypt. One of his sons beat up a Coptic Christian with a whip, saying, 'I am the son of a nobleman!" The Copt went to Umar ibn al-Khattab, the Muslim caliph who resided in the city of Medina, and lodged a complaint. These are the details as related by Anas ibn Malik, the personal servant of the Prophet in his lifetime:

"We were sitting with Umar ibn al-Khattab when an Egyptian came in and said, 'Commander of the Faithful, I come to you as a refugee. So, Umar asked him about his problem and he answered, Amr had a custom of letting his horses run free in Egypt. One day, I came by riding my mare. When I passed by a group of people, they looked at me. Muhammad, the son of Amr got up and came to me, saying, 'I swear by the Lord of the Kaaba, this is my mare!' I responded, 'I swear by the Lord of the Kaaba, the mare is mine!' He came up to me and began beating me with a whip, saying, 'You may take her, because I am the son of a nobleman (meaning I am more generous than you). The incident got to Amr, who feared that I might come to you, so he put me in jail. I escaped, and here I am before you."

Anas continued:

"I swear by God, the only response Ur Umar made was to tell the Egyptian to take a seat. Then, Umar wrote a letter to Amr, saying, 'When this letter

reaches you, come and bring me your son, Muhammad.' Then he told the Egyptian to stay in Medina until he was told Amr has arrived. When Amr received the note, he called his son and asked him, 'Did you commit a crime?' His son stated he has not. Amr asked, 'Then why is Umar writing about you?' They both went to Umar."
Anas narrates the incident further:

"I swear by God, we were sitting with Umar, and Amr arrived wearing the clothes of common people. Umar looked around for the son, and saw him standing behind his father (to appear less conspicuous). Umar asked, 'Where is the Egyptian?' and he responded, 'Here I am!' Umar told him, 'Here is the whip. Take it and beat the son of the nobleman. So he took it and beat him vigorously, while Umar said over and over, 'Beat the son of the nobleman.' We did not let him stop until we were satisfied he had beaten him enough. Then, Umar said, 'Now you must take it and hit me on my bald head. This all happened to you because of my power over you.' The Egyptian responded, 'I am satisfied and my anger has cooled.' Umar told him, 'If you had beaten me, I would not have stopped you until you had wished to. And you, Amr, since when have you made the people your slaves? They were born free. Amr began to apologize, telling him,
'I did not know that this is what happened. So, Umar said turned back to the Egyptian, telling him, 'You may go, and be guided. If anything untoward happens to you, write to me.
[Ref: Tantawi, Ali, 'The History Of Umar, p. 155-156]
Such was Umar who said when first chosen as Caliph, 'The weak will be made strong, because I take for them what is their right. And the strong will be made weak because I will take from them what is not rightfully theirs.' History has recorded him as a just ruler because of his equity towards the oppressed, regardless of their social status, and because of his firmness against the oppressor, regardless of their rank.
'The value of this story is that it records how people had a sense of their humanity and dignity under the rule of Islam. Even an unjust blow was disapproved and despised. Many incidents of injustice similar to this story occurred at the time of the Byzantine Empire, but nobody moved to rectify them. However, under the protection of the Islamic state, we see an example of an oppressed person having the conviction of his dignity and access to his rights so strong that he was willing to undertake the hardship and privation of a trip from Egypt to Medina, because of his trust that he would find someone to listen to his compliant.'[Ref: Qaradawi,

Yusuf, 'Ghayr al-Muslimeen fil-Mujtama' al-Islami' p. 30-31]

The Rights of Non-Muslims in Islam (part 5 of 13): The Right to Freedom of Belief I

Islam does not compel people of other faiths to convert. It has given them complete freedom to retain their own faith and not to be forced to embrace Islam. This freedom is documented in both the Quran and the prophetic teachings known as Sunnah. God addresses the Prophet Muhammad in the Quran:
"If it had been your Lord's will, they would all have believed -all of who are on earth! Will you then compel humankind, against their will, to believe?" [Quran 10:99]
Prophet Muhammad (Peace be upon Him), may the mercy and blessings of God be upon him, would give people a choice between entering Islam and retaining their religion. He would ask them to accept Islam only
after making an agreement with them, once they had become residents in the Islamic state and felt secure about their personal safety and property. This allowed them to appreciate the security of the covenant with God and His Prophet. It is precisely for this reason that the non-Muslim citizens are referred to as dhimmis. [Ref: Zuhaili, Wahba, 'al-Islam wa Ghayr al-Muslimeen, p. 60-61]

When the Prophet of God sent a commander of an army or a battalion off to war, the Prophet would command him to be conscious of God in his conduct and to treat his Muslim companions well.
Then the Prophet of Mercy (Peace be upon him) would instruct him:
"Set out for battle for the sake of God and fight those who disbelieve in Him. Go into battle, but do not go to extremes, behave treacherously, mutilate their dead, or kill children. When you meet your enemies, the unbelievers, offer them three options, and accept any one of them to which they agree and cease the battle:

(a) Invite them to join Islam. If they agree, then accept this and cease the battle. Then invite them to move from their lands to the Land of the Immigrants (Medina), and inform them that if they do so, they will have the same privileges and obligations as the other migrants. If they refuse to migrate from their lands, inform them that they will have the same status as the nomadic Muslims: that they will be subject to the Law of God which applies to all Muslims, and that they

do not have a share in wealth obtained from conquest, unless they participate in the jihad with the Muslims.

(b) If they refuse, then ask them to pay the jizyah,[i.e. Jizya: a protection tax payable by non-Muslims as a tribute to the Muslim ruler.] and if they agree, then accept it from them and cease the battle.

(c) If they refuse all this, then seek God's help and battle with them." [Ref: Saheeh Muslim]

These directives of the Prophet were in obedience to what God says in the Quran: **"Let there be no compulsion in religion; truth stands clear from error: whoever rejects false gods and believes in God has grasped the most trustworthy hand-hold that never breaks. And God hears and knows all things."** [Quran 2:256]

Edwin Calgary, an American scholar, wrote about this verse, 'There is a verse in the Quran that is filled with truth and wisdom, and it is known to all Muslims. Everyone else should know it as well; it is the one that says there is no compulsion in religion.' [Ref: Quoted in Young, Quailar, 'The Near East: Society & Culture, p. 163-164]

This verse was revealed concerning some of the residents of Medina. When none of the children of the pagan women of Medina survived infancy, they would make a vow to make the child a Jew or a Christian if he lived. When Islam came to Medina, they had adult children who were Jewish or Christian. The parents tried to compel them to embrace the new religion, so this verse was revealed to prevent them from doing so. The verse and the history of its revelation reveals that it is not permissible to force anyone to become a Muslim. This is the case even if it is the parent who wants the best for their offspring, and their children become members of another religion.

The Quran rejects forcing anyone to join Islam. [Ref: Qaradawi, Yusuf, 'Ghayr al-Muslimeen fil-Mujtama' al-Islami, p. 18-19]

Allah says in the Quran:

"Say, "The truth is from your Lord, let him who will, believe and let him who will, reject, it. For the wrongdoers We have prepared a Fire whose (smoke and flames are) like the wall and roof of a tent, will hem them in: if they implore relief they will be granted water like molten brass that will scald their faces. How dreadful the drink! How uncomfortable a couch to recline on!"

[Quran 18:29]
Not only does Islam give the freedom of religious freedom to non-Muslims, its tolerant law extends to the preservation of their places of worship. [Ref: Aayed, Saleh Hussain, 'Huquq Ghayr al-Muslimeen fi Bilad il-Islam, p. 23-24]
Allah says in the Quran:
"(They are) those who have been evicted from their homes without right only because they say, 'Our Lord is God. And was it not that God checks the people, some by means of others, there would have been demolished monasteries, churches, synagogues, and mosques in which the name of God is much mentioned (praised). And God will surely support those who support Him (meaning His cause). Indeed, God is Powerful and Exalted in
Might." [Quran 22:40]

The Muslim caliphs used to order their military leaders who went on military campaigns to take steps to guarantee this matter. The first example is the command of Abu Bakr to Usamah bin Zayd:
'I command you to do ten things: kill no woman, no child, nor an elderly person; do not cut down fruit trees, or vandalize homes, or wound a sheep or camel except if you must eat it; do not drown a palm tree, or burn it, do not be treacherous; do not be cowardly; and you will pass by people who have devoted themselves to monastery life; leave them alone to their devotions. [Ref: Tabari, Tarirk al-Tabari, vol 3, p. 210]
The second example is the treaty of Umar ibn al-Khattab with the people of Iliya of Jerusalem:
'This is the security given by the slave of God, Umar, the Commander of the Faithful, to the people of Iliya: they are guaranteed the security if their persons, possessions, churches, crucifixes, and everyone within, whether sick or in good health, as well as everyone in their community. Their churches will not be occupied or demolished, nor will anything be taken from them: neither furnishings nor crucifixes or money. They will not be forced away from their religion, or harmed because of it. They will not be occupied by the Jewish settlers in Iliya.' [Ref: Tabari, Tarirk al-Tabari, vol 3, p. 159]
As a result, since the era of the rightly-guided caliphs, Jews and Christians have held their services in freedom and security. [Ref: Qaradawi, Yusuf, 'al-Aqaliyyat ad-Diniyya wa-Hal al-Islami, p. 13]

The Rights of Non-Muslims in Islam (part 6 of 13): The Right to Freedom of Belief II

Muslims protected Christian churches in the lands they occupied from being harmed. In a letter to Simeon, the Archbishop of Rifardashir and leader of all the bishops of Persia, the Nestorian Patriarch Geoff III wrote:

'The Arabs, to whom God has given power over the whole world, know how wealthy you are, for they live among you. In spite of this, they do not assail the Christian creed. To the contrary, they have sympathy with our religion, and venerate our priests and saints of our Lord, and they graciously donate to our churches and monasteries. [Ref: Amold, Thomas, 'Invitation To Islam, p. 102]

One of the Muslims caliphs, Abdul-Malik, took the Church of John from the Christians and made it part of a mosque. When Umar bin Abdulaziz succeeded him as the new Caliph, the Christians complained to him about what his predecessor had done to their church. Umar wrote to the governor that the portion of the mosque that was rightfully theirs be returned to them if they were unable to agree with the governor on a monetary settlement that would satisfy them. [Ref: Qaradawi, Yusuf, 'Ghayr al-Muslimeen fil-Mujtama' al-Islami,' p. 32]

The Wailing Wall in Jerusalem is known to historians to be the one of the holiest places of worship in Judaism. Some time ago, it was completely buried under rubble and heaps of debris.

When the Ottoman caliph Sultan Sulayman came to know of this, he ordered his governor in Jerusalem to remove all the rubble and debris, clean the area, restore the Wailing Wall, and make it accessible for Jews to visit. [Ref: Hussayn, Abdul-Latif, 'Tasamuh al-Gharb Ma'l-Muslimeen, p. 67]

Unbiased Western historians acknowledge these facts. LeBon writes:

'The tolerance of Muhammad towards the Jews and Christians was truly grand; the founders of other religions that appeared before him, Judaism and Christianity in particular, did not prescribe such goodwill. His caliphs followed the same policy,and his tolerance has been acknowledged by skeptics and believers alike when they study the history of the Arabs in depth. [Ref: LeBon, Gustav, 'Arab Civilization, p. 128]

Robertson wrote:

'The Muslims alone were able to integrate their zeal for their own religion with tolerance for followers of other religions. Even when they bore swords into battle for freedom for their religion to spread, they left those who did not desire it free

to adhere to their own religious teachings.' [Ref: Quoted in Aayed, Saleh Hussain, 'Huquq Ghayr al-Muslimeen fi Bilad il-Islam,' p. 26]

Sir Thomas Arnold, an English Orientalist, wrote:
'We never heard of a report of any planned attempt to compel non-Muslim minorities to accept Islam, or any organized persecution aimed at uprooting the Christian religion. If any of the caliphs had chosen any of these policies, they would have overwhelmed Christianity with the same ease with which Ferdinand and Isabella exiled Islam from Spain, or with which Louis XIV made following Protestantism a punishable crime in France, or with which the Jews were exiled from England for 350 years. A that time Eastern churches were completely isolated from the rest of the Christian world. They had no supporters in the world as they were considered heretical sects of Christianity.Their very existence to this day is the strongest evidence of the policy of Islamic government's tolerance towards them." [Ref: Amold, Thomas, 'Invitation To Islam, p. 98-99]
The American author, Lothrop Stoddard wrote, 'The caliph Umar took the utmost care to tend to the sanctity of the Christian holy places, and those who became caliph after him followed his footsteps. They did not harass the many denominations of pilgrims who came annually from every corner of the Christian world to visit Jerusalem. [Ref: Stoddard, L. W., 'The Islamic World At Present,' vol 1, p. 13-14]
The reality is that non-Muslims were treated with more tolerance among the Muslims than anything they experienced with other sects of their own religion. Richard Stebbins spoke of the Christian experience under the rule of the Turks:
'They (the Turks) allowed all of them, Roman Catholics and Greek Orthodox, to preserve their religion and follow their consciences as they chose: they allowed them their churches to perform their sacred rituals in Constantinople and many other places. This is in contrast to what I can testify to from living in Spain for twelve years; not only were we forced to attend their Papist celebrations, but our lives and the lives of our grand children were in danger also. [Ref: Quoted in Qaradawi, Yusuf, 'al-Aqaliyyat ad-Diniyya wa-Hal al-Islami, p. 56-57]

Thomas Arnold mentions in his 'Invitation to Islam' that there were many people in Italy at that time who longed for Ottoman rule. They wished they could be granted the same freedom and tolerance that the Ottomans gave to their Christian subjects, for they had despaired of achieving it under any Christian government. He also mentions that a great many Jews fled persecution in Spain at

the end of the 15th century and took refuge in Ottoman Turkey. [Ref: Amold, Thomas, 'Invitation To Islam, p. 183]

It is worthwhile to reemphasize the following point. The existence of non-Muslims for centuries across the Muslim world, from Moorish Spain and Sub-Saharan Africa to Egypt, Syria, India, and Indonesia are clear evidence of the religious tolerance extended by Islam to people of other faiths. This tolerance even led to the elimination of Muslims, such as in Spain, where the remaining Christians took advantage of Muslim weakness, attacked them, and wiped them out from Spain by either killing them, forcing them to convert, or expulsion.

Etienne Denier wrote, 'The Muslims are the opposite of what many people believe. They never used force outside of the Hejaz [i.e. Hejaz: the Western part of Arabia that includes the cities of Mecca and Medina].

The presence of Christians was evidence of this fact. They retained their religion in complete security during the eight centuries that the Muslims ruled their lands. Some of them held high posts in the palace in Cordoba, but when the same Christians obtained power over the country, suddenly their first concern was to exterminate Muslims. [Ref: Denier, Etienne, 'Muhammad The Messenger Of God, p. 332]

The Rights of Non-Muslims in Islam (part 7 of 13): The Right to Follow Their Religious Laws

Islam does not compel non-Muslims citizens living in Muslim lands to be ruled by Islamic Laws. They are exempt from paying the zakah. [i.e. Zakah: one of the pillars of Islam. It is a obligatory charity paid on certain forms of wealth] Under Islamic Law, a Muslim who does not pay the zakah and refuses its obligation becomes an unbeliever. Also, Islamic Law requires military duty from able Muslims, but non-Muslims are exempt from it, even though it is of benefit to Muslims and non-Muslims alike. In return for these two exemptions, non-Muslim citizens pay a nominal tax known as jizya. Sir Thomas Arnold wrote, 'The jizya was so light that it did not constitute a burden on them, especially when we observe that it exempted them from compulsory military service that was an obligation for their fellow citizens, the Muslims. [Ref: Arnold, Thomas, 'Invitation to Islam, p. 77]

Islam also permitted non-Muslims to observe their civil law in matters such as marriage and divorce. Regarding criminal justice, Muslim jurists would pass sentences on non-Muslims in issues considered sinful in their religion such as theft, but exempted them from issues they held to be permissible such as drinking wine and eating pork. [Ref: Maududi, Abul 'Ala, 'The Rights of The People of Covenant In The Islamic State, p. 20-21]

This is based clearly of the practice of the Prophet himself when he first came to Medina and established a 'constitution'. He allowed for individual tribes who were not Muslims to refer to their own religious scriptures and their learned men in regards to their own personal affairs. They could though, if they opted, ask the Prophet to judge between them in their matters.

Allah says in the Quran:

"…If they do come to you, either judge between them or decline to interfere…" (Quran 5:42)

Here we see that Prophet allowed each religion to judge in their own matters according to their own scriptures, as long as it did not stand in opposition to articles of the constitution, a pact which took into account the greater benefit of the peaceful co-existence of the society.

Umar ibn Abdulaziz, a Muslim ruler, found it hard to accept how non-Muslims continued to follow their social regulations that went against the Islamic injunctions. He wrote a letter to Hasan al-Basri [i.e. Hasan al-Basri: one of the most eminent scholars from the second generation of Muslims known for his asceticism and knowledge. He was born in Medina in 642 CE, the son of a slave captured in Maysan, who was freed by the Prophet's secretary, Zaid bin Thabit. He was brought up in Basra, Iraq. Hasan met many Companions and transmitted many reports of Prophet Muhammad. His mother served Umm Salama, the wife of the Prophet. He died in Basra in 728 CE at the age of 88.] seeking his legal advice, saying, 'How is it that the Rightly-Guided Caliphs before us left the People of the Covenant as they did, marrying close relatives [i.e. The Zoroastrians to this day deem it permissible to marry their own siblings.], and keeping pigs and wine?' Hasan's responded, 'They paid the jizya so that they could be left to practice what they believed, and you may only follow the Islamic Law, not invent something new.' [Ref: Maududi, Abul 'Ala, 'The Rights Of The People of Covenant In The Islamic State, p. 22]

The People of the Covenant had their own courts to settle their disputes, but if they wished, they could resort to Islamic courts.

Allah commanded His Prophet:
“So if they come to you, (O Muhammad), judge between them or turn away from them. And if you turn away from them never will they harm you at all. And if you judge, judge between them with justice. Indeed, God loves those who act justly.” [Quran 5:42]
Adam Metz, a Western historian, writes in the Islamic Civilization in the Fourth Century of the Hegira:
“Since the Islamic Law was specifically for Muslims, the Islamic state allowed the people of other religious affiliations to their own courts. What we know about these courts is that they were church courts and prominent spiritual leaders were the chief justices. They wrote a great number of books on canon law, and their rulings were not confined to matters of personal status. They included such problems as inheritance and much of the litigations between Christians that did not involve the state.” [Ref: Metz, Adam, ‘Islamic Civilization in the Fourth Century of the Hegira, vol 1, p.]
Therefore, it can be seen that Islam did not punish non-Muslims for doing what they viewed as permissible according to their religious law, such as consuming alcohol or eating pork, even though they are forbidden in Islam. The tolerance extended by Islam towards non-Muslims is unmatched by any other religious law, secular government, or political system in existence even today. Gustav LeBon writes: “The Arabs could have easily been blinded by their first conquests, and committed the injustices that are usually committed by conquerors. They could have mistreated their defeated opponents or forced them to embrace their religion, which they wished to spread all over the world. But the Arabs avoided that. The early caliphs, who had a political genius that was rare in proponents of new religion, realized that religions and systems are not imposed by force. So they treated the people of Syria, Egypt, Spain, and every country they took over with great kindness, as we have seen. They left their laws, regulations, and beliefs intact and only imposed on them the jizya, which was paltry when compared to what they had been paying in taxes previously, in exchange for maintaining their security. The truth is that nations had never known conquerors more tolerant than the Muslims, or a religion more tolerant than Islam.” [Ref: Lebon, G, ‘The Civilization Of The Arabs, p. 605]

The Rights of Non-Muslims in Islam (part 8 of 13): The Right to Justice I

God requires Muslims to be just in all their affairs and to act equitably towards everyone. God says:
"And the sky He has raised; and He has set the Balance (of justice), that you may not exceed the (due) balance. But observe the measure strictly, nor fall short thereof." [Quran 55:7-10]
Muslims are divinely ordained to act with justice, even if it means acting against themselves or those close to them, as the Quran states:
"O you who have believed, persistently stand firm in justice, witnesses for Allah, even if it be against yourselves or parents and relatives. Whether one is rich or poor, Allah is more worthy of both. So follow not [personal] inclination, lest you not be just. And if you distort [your testimony] or refuse [to give it], then indeed Allah is Ever-Acquainted with what you do." [Quran 4:135]
God requires that we apply justice at all times:
"Indeed, Allah commands you to render trusts to whom they are due, and when you judge between people, to judge with justice. Excellent is that which Allah instructs you. Indeed, Allah is ever Hearing and Seeing." [Quran 4:58]
Islamic justice towards non-Muslims is multifaceted. Islam gives them the right to go before their own courts; it also guarantees them equality in seeking justice with Muslims, if they choose to present their case in an Islamic court. God says:
"So, if they come to you, (O Muhammad), judge between them, or turn away from them. And if you turn away from them -never will they harm you at all. And if you judge, judge between them with justice. Indeed, Allah loves those who act justly." [Quran 5:42]

If a Muslim were to steal from a non-Muslim dhimmi, he would be liable to the same punishment as the dhimmi would have been had he stolen from the Muslim. Similarly, a Muslim is liable to receive a sentence for defamation if he slanders a man or woman protected under the covenant. [Ref: Masud, Fahd Muhammad Ali, 'Huquq Ghayr is-Muslimeen fid-Dawla al-Islamiyya, p. 138-139, 144-149. Aayed, Saleh Hussain, 'Huquq Ghayr al-Muslimeen fi Bilad il-Islam, p. 32-33. Zaydan, Dr. Abd al-Karim, 'Ahkam al-Dhimmiyin wal-Mustami'nin,' p. 254.]
Islamic history has some beautiful examples of justice meted out by Muslims towards non-Muslims. A man named Ta'ima stole a suit of armor from Qataada,

his neighbor. Qataada had hidden the armor inside a sack of flour so, when Ta'ima took it, the flour leaked out of the sack through a hole, leaving a trail up to his house. Ta'ima then left the armor in the care of a Jewish man named Zayed, who kept it in his house, in order to conceal his crime. Thus, when the people searched for the stolen armor, they followed the trail of flour to Ta'ima's house but did not find it there. When confronted, he swore to them he had not taken it and knew nothing about it. The people helping the owner also swore that they had seen him breaking into Qataada's house at night, and had subsequently followed the tell-tale trail of flour, which had led them to his house. Nevertheless, after hearing Ta'ima swearing he was innocent, they left him alone and looked for further clues, finally finding a thinner trail of flour leading to the house of Zayed, and so arrested him. The Jewish man told them that Ta'ima had left the armor with him, and some Jewish people confirmed his statement. The tribe to which Ta'ima belonged sent some of their men to the Messenger of God to present his side of the story, and asked them to defend him. The delegation was told, 'If you do not defend our clansman, Ta'ima, he will lose his reputation and be punished severely, and the Jew will go free. The Prophet was subsequently inclined to believe them, and was about to punish the Jewish man when God revealed the following verses of the Quran to vindicate the Jew. [Ref: Wahidi, 'Al-Asbab an-Nuzool, p. 210-211]

The verse continues to be recited by Muslims today as a reminder that justice must be served for all:

"Indeed, We have revealed to you, (O Muhammad), the Book in truth so you may judge between the people by that which God has shown you. And do not be an advocate for the deceitful. And seek forgiveness of God. Indeed, God is ever Forgiving and Merciful. And do not argue on behalf of those who deceive themselves. Indeed, God loves not one who is a habitually sinful deceiver. They conceal [their evil intentions and deeds] from the people, but they cannot conceal [them] from God, and He is with them (in His knowledge) when they spend the night in such as He does not accept of speech. And God ever is encompassing of what they do. Here you are those who argue on their behalf in [this] worldly life – but who will argue with God for them on the Day of Resurrection, or who will [then] be their representative?" [Quran 4:105-109]

The Rights of Non-Muslims in Islam (part 9 of 13): The Right to Justice II

Once, a dispute arouse between Ali bin Ali Talib, when he was the Caliph, and a Jewish man who went to Judge Shurayh al-Kindi. Shuray tells the details of what happened:
“Ali found he was missing his coat of mail, so he went back to Kufa and found it in the hands of a Jewish man who was selling it in the market. He said, ‘O Jew! That coat of mail is mine! I did not give it away or sell it!’
The Jew responded ‘It is mine. It is in my possession.’
Ali said, ‘We will have the judge rule on this for us.’
So they came to me and Ali sat next to me and said, ‘That coat of mail is mine; I did not give it away or sell it.’
The Jew sat in front of me and said, ‘That is my coat of mail. It is in my possession.’
I asked, ‘O Commander of the Faithful, do you have any proof?’
‘Yes,’ Ali said. ‘My son Hasan and Qanbarah can testify that it is my coat of mail.’

I said, ‘Commander of the Faithful, the testimony of a son in his father’s favor is not admissible in court.’
Ali exclaimed, ‘How Perfect is God! You cannot accept the testimony of a man who has been promised Paradise? I heard the Messenger of God saying that Hasan and Husain are the princes of the youth in Paradise.’ [Ref: Al-Tirmidhi]
The Jewish man said, ‘The Commander of the Faithful takes me before his own judge and the judge rules in my favor against him! I bear witness that no one deserves worship except God and that Muhammad is His Messenger [the Jewish man accepted Islam], and that the coat of armor is yours, Commander of the Faithful. You dropped it at night and I found it.’ [Ref: Hayyan, Abu Bakr, ‘Tarikh al-Qudat,’ vol 2, p. 200]
Another amazing story of Muslim justice towards non-Muslims pertains to the conquest of the city of Samarkand. Qutayba, the Muslim military general, had not given the residents of Samarkand a choice between accepting Islam, entering into a protective covenant with the Muslims, or to accept fighting at the time. Years after the conquest, the people of Samarkand lodged a complaint with ‘Umar bin Abdulaziz, the then current Muslim Caliph. Umar, upon hearing their complaint, ordered the governor of the city to turn it over to the people and vacate it, and

then to give the people the three alternatives to choose from. Astounded by this display of instant justice, many of the residents of Samarkand embraced Islam! [Ref: Tantawi, Ali, 'Qasas Min al-Tarikh, p. 85]

We also read in history instances where the general Muslim population was aware of the rights of the non-Muslim minorities and would demand justice for non-Muslims from their rulers.

Waleed ibn Yazeed, an Omayyad Caliph, exiled the inhabitants of Cyprus and forced them to settle in Syria. The scholars of Islam did not approve his move at the time and declared it to be oppression after the event. They brought the issue up with his son when he became Caliph so that the people could be resettled in their native land once again. He agreed to the proposal, and is thus known to be one of the fairest rulers of the Umayyad dynasty. [Ref: Balazuri, Ahmad, 'Futuh al-Buldan,' p. 214]

Another similar historical instance is when the governor of Lebanon, Salih ibn Ali, expelled an entire village of non-Muslims because some of them refused to pay the toll on their produce. The governor was a close advisor of the Caliph, yet Imam Awza'i, a renowned Muslim scholar of Syria, came to their defense and wrote to letter of protest. Part of the letter reads:

'How can you collectively punish people for the misdeeds of a few, going so far as to expel them from their homes? God states:

"No bearer of burdens will bear the burden of another." (Quran 53:38)

It is the most compelling evidence to consider and follow. And the most deserving command of the Prophet to preserve and follow is:

"If anyone oppresses a dhimmi or burdens him with something he can not bear, I will argue against him on the Day of Judgment" [Ref: Al-Baihaqi, 'Sunan al-Kubra']

They are not slaves whom one is able to take from one place and move to another as one pleases. They are the free People of the Covenant.' [Ref: Qaradawi, Yusuf, 'Ghayr al-Muslimeen fil-Mujtama' al-Islami,' p. 31]

Secular writers and historians have been compelled to acknowledge the justice of Islam towards non-Muslims in their midst. The British historian, H.G. Wells, wrote the following:

'They established great traditions of just tolerance. They inspire people with a spirit of generosity and tolerance, and are humanitarian and practical. They created a humane community in which it was rare to see cruelty and social injustice, unlike any community that came before it.' [Ref: Quoted by Siba'i,

Mustafa, ‘Min Rawai Hadaratina,’ p. 146]
Discussing the Christian sects at the beginning centuries of Islamic rule, Sir Thomas Arnold writes:
‘Islamic principles of tolerance forbade these actions [mentioned previously], that always involved some oppression. Muslims were the opposite of others, and it appears that they spared no effort in treating all of their Christian subjects with justice and equity. An example was the conquest of Egypt, when the Jacobites took advantage of the removal of the Byzantine authorities to dispossess the Orthodox Christians of their churches. The Muslims returned them to their rightful owners when the Orthodox Christians presented them with proof of ownership. [Ref: Amold, Thomas, ‘Invitation To Islam, p. 87-88]
Amari, a Sicilian Orientalist, observed:
‘At the time of the Muslim Arab rule, the conquered inhabitants of the island of (Sicily) were comfortable and content compared to their Italian counterparts, who were collapsing under the yoke of the Langiornians and Franks.’ [Ref: Quoted in Aayed, Saleh Hussain, ‘Huquq Ghayr al-Muslimeen fi Bilad il-Islam,’p. 39]
Nadhmi Luqa commented:
‘No law can eradicate injustice and prejudice better than one that states:
“…and do not let the hatred of a people prevent you from being just.” [Quran 5:8]
Only when a person holds himself to these standards, settling for no other, and devotes himself to a religion with these lofty principles and rectitude, accepting no other… only then can he claim to have honored himself. [Ref: Luqa, Nadhmi, ‘Muhammad: The Message & The Messenger, p. 26]

The Rights of Non-Muslims in Islam (part 10 of 13): Security of Life, Property, and Honor

Islamic Law protects basic human rights like the preservation of life, property, and honor for Muslims and non-Muslims alike. Whether the non-Muslims are residents or visitors, they are guaranteed these rights. These rights cannot be taken away except in a justified case permitted by law. For instance, a non-Muslim may not be killed unless he is guilty of killing. Allah says:
“Say, Come, I will recite what your Lord has prohibited to you. (He commands) that you not associate anything with Him, and to parents, good treatment, and do

not kill your children out of poverty; We will provide for you and them. And do not approach immoralities what is apparent of them and what is concealed. And do not kill the soul which God has forbidden [to be killed] except by [legal] right. This has He instructed you that you may use reason." [Quran 6:151]

The Prophet of Islam (Peace be upon him) declared that the life of non-Muslims residents or visitor as inviolable when he said:

"Whoever kills a person with whom we have a treaty, will not come close enough to Paradise to smell its scent, and its scent can be found as far away as forty years of travel." [Saheeh Al-Bukhari]

Islam does not allow assaulting a non-Muslim, violating his honor or property, or hurting him. If someone steals from a dhimmi, he must be punished. If anyone borrows from a dhimmi, the property must be returned. The Prophet Muhammad (Peace be upon him) of Islam said:

"You must know that it is not lawful for you to take the property of the People of the Covenant unless it is (in payment) for something." [Ref: Musnad Ahmad]

He (Peace be upon him) also said:

"Indeed God, Mighty and Majestic, has not allowed you to enter the homes of the People of the Book except by their permission, nor has He allowed you to hit their women, nor eat their fruit if they give you what is obligatory upon them [from the jizyah]." [Ref: Abu Dawood]

There is an interesting story from the era of Ahmad ibn Tulun of Egypt. One day a Christian monk came to Tulun's palace to complain about his governor. Upon noticing him, a guard inquired about the problem. On finding out that the governor had taken 300 dinars from the monk, the guard offered to pay the monk on the condition that he does not complain, and the monk accepted his offer.

The incident reached Tulun who ordered the monk, guard, and the governor to come to his court. Tulun said to the governor, 'Are not all your needs met with a sufficient income? Do you have needs that justify taking from others?'

The governor conceded to the force of his argument, yet still Tulun kept on questioning him, eventually removing him from his post. Tulun then asked the monk how much the governor had taken from him, and the monk told him it was 300 dinars. Tulun said, 'It is too bad you did not say 3000, as he needs a larger punishment, but I can only base it on your statement, and took the money from the governor and returned it to the monk. [Ref: Ibn Hamdun, 'at-Tazkira al-Hamduniyya, vol. 3, p. 200-201]

Non-Muslims have the right that their honor be protected. This right is extended not only to non-Muslim residents, but also to visitors. They all have the right to be

secure and protected. Allah says:
“And if any one of the polytheists seeks your protection, then grant him protection so that he may hear the words of God (the Quran). Then deliver him to his place of safety. That is because they are a people who do not know.” [Quran 9:6]

The right to asylum makes it a duty on every Muslim to respect and uphold the asylum granted by another Muslim according to the Prophet’s statement:
“The obligation imposed by the covenant is communal, and the nearest Muslim must try hard to fulfill it. Anyone who violates the protection granted by a Muslim will be under the curse of God, the angels, and all people, and on Judgment Day no intercession will be accepted on his behalf.” [Ref: Saheeh Al-Bukhari, Ibn Majah]
One of the female companions, Umm Hani, said to the Prophet:
“Messenger of God, my brother Ali claims that he is at war with a man whom I have granted asylum, a man with the name of Ibn Hubayra.”
The Prophet (Peace be upon him) answered her:
“Anyone you have given asylum to is under the protection of all of us, O Umm Hani.” [Ref: Saheeh Al-Bukhari]
The right to asylum and protection requires a Muslim to give asylum and grant security to a non-Muslim who seeks it and warns of severe punishment for anyone who violates it. Asylum guarantees protection from aggression, or attack for anyone who has been given security, a right that is not explicitly granted in any other religion.

The Rights of Non-Muslims in Islam (part 11 of 13): Good Treatment

The Quran instructs Muslims to treat non-Muslims courteously in a spirit of kindness and generosity, given they are not hostile towards Muslims. Allah says:
“God does not forbid you from those who do not fight you because of religion and do not expel you from your homes from dealing kindly and justly with them. Indeed, God loves those who act justly. God only forbids you from those who fight you because of religion and expel you from your homes and aid in your expulsion (forbids) that you make allies of them. And whoever makes allies of them, then it is those who are the wrongdoers.” [Quran 60:8-9]
Al-Qarafi, a classical Muslim scholar, describes the depth of the meaning of

“dealing kindly” referred to in the above verse. He explains the term:
‘…gentleness towards the weak, providing clothing to cover them, and soft speech. This must be done with affection and mercy, not by intimidation or degradation. Furthermore, tolerating the fact that they may be bothersome neighbors whom you could force to move, but you do not out of kindness towards them, not out of fear or financial reasons. Also, praying they receive guidance and [thus] join the ranks of the blessed with external reward, advising them in all wordily and spiritual matters, protecting their reputation if they are exposed to slander, and defending their property, families, rights, and concerns. Assisting them against oppression and getting them their rights. [Ref: Al-Qarafi, ‘al-Furooq, vol 3, p. 15]
Divine commandments to treat non-Muslims in this manner were taken seriously by Muslims. They were not just verses to be recited, but Divine Will to be acted upon. The Prophet, may the mercy and blessings of God be upon him, himself was the first person to put the divine commands into practice, followed by his caliphs and the general population of believers. The life-story of the Prophet of Islam gives many instances of his kind, tolerant co-existence with non-Muslims. Some of his neighbors were non-Muslims and the Prophet would be generous towards them and exchange gifts. The Prophet of Islam would visit them when they fell sick and do business with them. There was a Jewish family he regularly gave charity to and the Muslims after his death maintained his charity towards them. [Ref: Abu Ubayd, al-Amwaal, p. 613]
When a Christian delegation from Ethiopian churches came to Medina, the Prophet opened up his mosque for them to stay in, hosted them generously, and personally served them meals. He (Peace be upon him) said:
“They were generous to our companions, so I wish to be generous to them in person…”
…referring to the event when they provided asylum to a number of his companions after they fled persecution in Arabia and took asylum in Abyssinia.[Ref: Ibn Hamdun, ‘at-Tazkira al-Hamduniyya, vol. 2, p. 95 Siba’i, Mustafa, ‘Min Rawai Hadaratina, p. 134]
In another instance, a Jewish man named Zayd bin Sana came to the Prophet of Islam to reclaim a debt. He grabbed the Prophet by his robe and cloak, pulled the Prophet close to his face, and said, ‘Muhammad, are you not going to give me my due? You and your clan Banu Muttalib never pay debts on time!’ Umar, one of the companions of the Prophet, got agitated and said,
‘Enemy of God, am I really hearing what you just said to God’s Prophet. I swear

by the One who sent him with truth, if I were not afraid that he would blame me, I would have taken my sword and cut your head off! The Prophet looked calmly at Umar and censured him gently:

"Umar, that is not what we needed to hear from you. You should have counseled me to pay my debts in time and asked him to seek repayment in a respectful manner. Now take him, repay him his debt from my money and give him an extra twenty measures of date."

The Jewish man was so pleasantly surprised by the Prophet's behavior that he immediately declared his acceptance of Islam! [Ref: Ibn Kathir, 'al-Bidaya wal-Nihaya,' vol 2, p. 310]

The companions of Prophet Muhammad followed his example in how they treated non-Muslims. Umar set-up a permanent stipend for the Jewish family the Prophet used to take care of in his lifetime. [Ref: Abu Yusuf, Kitab al-Kharaj, p. 86]

He found justification for allotting funds for the People of the Scripture in the following verse of the Quran:

"Alms are only for the poor and for the needy and for those employed to collect (the funds) and for bringing hearts together, and for freeing captives (or slaves) and for those in debt and for the cause of God, and for the (stranded) traveler an obligation (imposed) by God. And God is Knowing and Wise." [Quran 9:60]

Abdullah ibn 'Amr, a famous companion of the Prophet Muhammad, would regularly give charity to his neighbors. He would send his servant to take portions of meat on religious occasions to his Jewish neighbor. The surprised servant asked about Abdullah's concern for his Jewish neighbor. Abdullah told him the saying of Prophet Muhammad:

"The angel Gabriel was so adamant in reminding me to be charitable with my neighbor that I thought he might make him my heir." [Ref: Saheeh Al-Bukhari]

Turning to the pages of history, we find a marvelous example of how a Muslim ruler expected his governors to treat the Jewish populace. The Sultan of Morocco, Muhammad ibn Abdullah, issued an edict on February 5th, 1864 CE:

'To our civil servants and agents who perform their duties as authorized representatives in our territories, we issue the following edict:

'They must deal with the Jewish residents of our territories according to the absolute standard of justice established by God. The Jews must be dealt with by the law on an equal basis with others so that none suffers the least injustice, oppression, or abuse. Nobody from their own community or outside shall be permitted to commit any offense against them or their property. Their artisans and craftsmen may not be scripted into service against their will, and must be

paid full wages for serving the state. Any oppression will cause the oppressor to be in darkness on Judgment Day and we will not approve of any such wrongdoing. Everyone is equal in the sight of our law, and we will punish anyone who wrongs or commits aggression against the Jews with divine aid. This order which we have stated here is the same law that has always been known, established, and stated. We have issued this edict simply to affirm and warn anyone who may wish to wrong them, so the Jews may have a greater sense of security and those intending harm may be deterred by greater sense of fear. [Ref: Qaradawi, Yusuf, 'al-Aqaliyyat ad-Diniyya wa-Hal al-Islami, p. 58-59]

Renault is one of the unbiased Western historians who has acknowledged the kind and fair treatment of Muslims towards the non-Muslim minorities. He comments: 'The Muslims in the cities of Islamic Spain treated the non-Muslims in the best possible way. In return, the non-Muslims showed respect to the sensibilities of the Muslims and would circumcise their own children and refrain from eating pork.' [Ref: Quoted by Siba 'i, Mustafa, 'Min Rawai Hadaratina,' p. 147]

The Rights of Non-Muslims in Islam (part 12 of 13): Social Security

Modern welfare states provide social benefits to their poor citizens, but Islam preceded all nations in establishing social security services. Islamic law set up financial provisions for needy Muslims through zakah (obligatory charity) and sadaqa (voluntary charity). Zakah was made obligatory on wealthy Muslims to take care of the poor, whereas sadaqa was left on individual discretion to help the needy. Social security provided by Islam includes non-Muslims as well. Islamic Law requires the state to provide for its citizens with disabilities Muslim or non-Muslim that prevent them from employment. They are provided for by the public treasury and the ruler is negligent if he does not do so. Many instances of Muslims providing social security to the non-Muslim citizens are recorded in history.

Umar ibn al-Khattab the second caliph of Islam, once passed by a old, blind man begging in front of a house. Umar asked him which religious community he belonged to. The man said he was Jewish. Umar then asked him, 'What has brought you to this?' The old man said, 'Do not ask me; ask…poverty, and old age. Umar took the man to his own home, helped him from his personal money, and

then ordered the head of the treasury, 'You must look after this man and others like him. We have not treated him fairly. He should not have spent the best years of his life among us to find misery in his old age. Umar also relieved him and others in his situation of paying the jizya. [Ref: Abu Yusuf, Kitab al-Kharaj, p. 136]

Another example is found in Khalid ibn al-Walid's letter to the people of the Iraqi city of Hira. It contains the terms of truce he offered them:

'If God gives us victory, the people of the covenant will be protected. They have rights promised to them by God. It is the strictest covenant God has made incumbent on any of His prophets. They are also held by the duties that it places upon them and must not violate it. If they are conquered, they will live comfortably with everything due to them. I am commanded to exempt from jizya the elderly who cannot work, the disabled, or the poor who receive charity from their own community. The treasury will provide for them and their dependants as long as they live in Muslim lands or in the communities of Muslim emigrants. If they move outside of Muslim lands, neither they nor their dependants shall be entitled to any benefits. [Ref: Abu Yusuf, Kitab al-Kharaj, p. 155-156]

In another instance, Umar ibn al-Khattab, the Muslim Caliph, was visiting Damascus. He passed by a group of Christian lepers. He ordered that they be given charity and regular stipends for food. [Ref: Qaradawi, Yusuf, 'Ghayr al-Muslimeen fil-Mujtama' al-Islami,' p. 17]

Umar ibn Abdul-Aziz, another Muslim Caliph, wrote to his agent in Basra, Iraq, 'Search for the people of the covenant in your area who may have grown old, and are unable to earn, and provide them with regular stipends from the treasury to take care of their needs.' [Ref: Abu Ubayd, al-Amwaal, p. 805]

Some of the early Muslims [Ref: Sarkhasi, 'al-Mabsut, vol 2, p. 202 Jassas, 'al-Ahkam ul-Quran, vol. 3, p. 215]

used to distribute part of their post-Ramadan charity (zakat ul-fitr) to Christian monks, based on their understanding of the verse of Quran:

"God does not forbid you from those who do not fight you because of religion and do not expel you from your homes from dealing kindly and justly with them. Indeed, God loves those who act justly. God only forbids you from those who fight you because of religion and expel you from your homes and aid in your expulsion (forbids) that you make allies of them. And whoever makes

allies of them, then it is those who are the wrongdoers." (Quran 60:8-9)

Finally, there are other rights that we have not discussed here, because of the assumption that they are elementary and taken for granted, such as the right to work, housing, transportation,

education, and so forth.[Ref: Public Regulations Relevant to non-Muslims, p. 43-58.]

However, before concluding, I would like to make the following observation. Our discussion has clarified how non-Muslims living in Muslim countries enjoy rights that they might not be granted in non-Muslim countries. Some readers may respond with the objection that these rights might have existed in history, but the experience of non-Muslims living in Muslim countries today is different. The author's personal observation is that non-Muslims still enjoy many of these same rights today, perhaps even more. Allah Almighty has commanded us to be truthful, in the verse:

"O you who believe! Stand out firmly for justice, as witnesses to Allah, even though it be against yourselves, or your parents, or your kin, be he rich or poor, God is a Better Protector to both (than you). So follow not the lusts (of your hearts), lest you avoid justice; and if you distort your witness or refuse to give it, verily, Allah is Ever Well-Acquainted with what you do." [Quran 4:135]

Further, when we compare the conditions of non-Muslims living in Muslim countries to the status of Muslim minorities living in non-Muslim countries, whether now or in history, we see a profound difference. What happened to Muslims during the Crusades, under the Spanish Inquisition, in Communist China, or the Soviet Union? What is happening to them today in the Balkans, Russia, Palestine, and India? It would be worthwhile to reflect in order to give an answer based on fairness and declaration of truth and justice. Allah is the best of Judges, and He states:

"O you who believe! Stand out firmly for God as just witnesses; and let not the enmity hatred of others make you avoid justice. Be just: that is nearer to piety; and fear God. Verily, God is Well-Acquainted with what you do." [Quran 5:8]

The Rights of Non-Muslims in Islam (part 13 of 13): Protection from Foreign Aggression

Non-Muslim citizens have a similar right to be protected from external enemies just as a Muslim fellow citizen does. The payment of jizya ensures protection against outside aggression, defense against enemies, and ransom to be paid on their behalf if they are taken captive by an enemy. [Ref: Some parts of this article

are taken from the books: 'Ghayr al-Muslimeen fil-Mujtama' al-Islami, by Yusuf Qaradawi and 'Huquq Ghayr is-Muslimeen fid-Dawla al-Islamiyya, by Fahd Muhammad Ali Masud.]

Writing a few centuries ago, Ibn Hazm, a classical scholar of Islam, said:

'If we are attacked by an enemy nation who is targeting the People of the Covenant living among us, it is out duty to come fully armed and ready to die in battle for them, to protect those people who are protected by the covenant of God and His Messenger. Doing any less and surrendering them will be blameworthy neglect of a sacred promise. [Ref: Qarafi, 'al-Furuq, vol 3, p. 14]

History has recorded many examples of Muslims fulfilling their sacred promise towards the dhimmis. The companion of Prophet Muhammad, Abu Ubayda al-Jarrah, was the leader of the army that conquered Syria. He made agreement with its people to pay the jizya.

Realizing the faithful loyalty of the Muslims, the Syrian people of the covenant resisted Muslim enemies and aided the Muslims against them. The residents of each town would send some of their people to spy against the Byzantines, who conveyed the news of the gathering of Byzantine army to Abu Ubayda's commanders. Finally, when the Muslims feared they would not be able to guarantee their protectect, Abu Ubayda wrote to his commanders to return all the money they had collected as jizya with the following message for the Syrians:

'We are returning your money to you because news has reached us of the awaiting armies. The condition of our agreement is that we protect you, and we are unable to do so, therefore, we are returning what we have taken from you. If God grants us victory, we will stand by out agreement.'

When his commanders returned the money and conveyed his message, the Syrian response was:

'May God bring you back safely to us. May He grant you victory. If the Byzantines had been in your place, they would not have returned anything, they would have taken everything we own and left us with nothing."

The Muslims were victorious in the battle. When people of other towns saw how their allies were defeated, they sought to negotiate a truce with the Muslims. Abu Ubayda entered into a truce with all of them with all the rights he had extended in the first treaties. They also requested that the Byzantines hiding among them be given safe passage back home, with their families and possessions, without any harm, which Abu Ubayda agreed to. Then the Syrians sent the jizya and opened their cities to welcome Muslims. On the way back home, Abu Ubayda was met by the representatives of townspeople and villagers requesting him to extend the

treaty to them as well, to which he happily complied. [Ref: Abu Yusuf, Kitab al-Kharaj, p. 149-151]
Another example of Muslims' defending the non-Muslim citizens can be seen in the actions of Ibn Taimiyya. He went to the Tartar leader after they had sacked Syria for release of their captives. The Tartar leader agreed to release the Muslim prisoners, but Ibn Taimiyya protested:
'We will only be satisfied if all the Jewish and Christian prisoners are released as well. They are people of the covenant. We do not abandon a prisoner whether from our own people or from those under a covenant.'
He persisted until the Tartars released all of them. [Ref: Qaradawi, Yusuf, 'Ghayr al-Muslimeen fil-Mujtama' al-Islami, p. 10]

Furthermore, Muslim jurists have stated that protecting non-Muslims from external aggression is a duty just as their protection from internal harassment. Al-Mawardi stated:
'The payment of the jizya entitles the people of the covenant to two rights. First, that they be left undisturbed. Second, that they be guarded and protected. In this way, they can be secure in society and protected from outside threats. [Ref: Mawardi, 'al-Ahkam al-Sultaniyya,' p. 143]
Islam considers abandoning the protection of its non-Muslim citizens a form of wrongdoing and oppression that is forbidden. God says:
"…And whoever commits injustice among you We will make him taste a great punishment." [Quran 25:19]
Therefore, harming or oppressing people of the covenant is considered a serious sin. Upholding treaties with them is an obligation on the Muslim Caliph and his representatives. The Prophet promised to argue on the Day of Judgment on behalf of the dhimmi against someone who harms him:
"Beware! Whoever is cruel and hard on a non-Muslim minority, curtails their rights, burdens them with more than they can bear, or takes anything from them against their free will; I (Prophet Muhammad) will complain against the person on the Day of Judgment." [Ref: Abu Dawood]
All evidence in Islamic Law points towards protecting the people of the covenant. Al-Qarafi, another classical Muslim scholar, wrote:
'The covenant is a contract that has conditions that are compulsory for us, for they are under our protection as neighbors, and the covenant of God and His Messenger, and the religion of Islam. If someone harms them with inappropriate speech, defamation, any type of harassment, or is an accomplice to such actions,

then he has made light of the covenant of God, His Messenger, and Islam.' [Ref: Qarafi, 'al-Furuq, vol 3, p. 14]

Umar, the second Caliph of Islam, would inquire from the visitors coming to meet him from other provinces about the situation of the people of the covenant and would say, 'We may know that the treaty is still being upheld. [Ref: Tabari, Tarirk al-Tabari, vol 4, p. 218]

On his deathbed, Umar is reported to have said, 'Command whoever becomes Caliph after me to treat well the people of the covenant, to uphold the treaty, to fight whoever wants to harm them, and not to overwhelm them with burden. [Ref: Abu Yusuf, Kitab al-Kharaj, p. 1136]

The writings of Muslim scholars and the actions of many Muslim rulers demonstrate the Islamic commitment from the earliest times to this right of non-Muslims.

Source : Book "Rights for Non-Muslims in Islam" by Islamhouse.com