

Conference, Symposium, and Panel Reports

Citizenship and Minorities in Contemporary Islam

The International Institute of Islamic Thought (IIIT) organized a panel, entitled “Citizenship and Minorities in Contemporary Islam” at the 2017 American Academy of Religion (AAR) Annual Meeting. The panel was held at the John B. Hynes Veterans Memorial Convention Center in Boston, Massachusetts on Sunday, November 19, 2017.

The panel was presided by Dr. Ermin Sinanović, IIIT’s Director of Research and Academic Programs, and included the panelists Dr. Ovamir Anjum, the Imam Khattab Endowed Chair of Islamic Studies at the Department of Philosophy and Religious Studies at University of Toledo; Dr. Mohammad Fadel, Associate Professor and Toronto Research Chair for the Law and Economics of Islamic Law at the University of Toronto Faculty of Law; and Dr. Basma Abdelgafar, Vice President of Maqasid Institute and Associate Professor of Public Policy.

Dr. Ermin Sinanović opened the panel by mentioning the Marrakesh declaration, which was a statement made in 2016 by some Muslim scholars and politicians about protecting the rights of religious minorities in Muslim states. He then addressed the Charter of Medina as the departure point to develop the concepts of citizenship from within Islamic thought, and identified the problems around it as the questions of authenticity and abrogation (*naskh*). After Dr. Sinanović’s opening remarks, the panelists tried to answer two major questions: (1) Is there a jurisprudence of minorities (*fiqh al-aqalliyyat*) and, if yes, what does it mean? and (2) What are the perspectives on jurisprudence and ethics of citizenship in contemporary Islamic discourses? Each panelist covered a different aspect of the issue.

Dr. Ovamir Anjum elucidated the notion of citizenship in the early Islamic, premodern period. He pointed to the roots of the new concept of

citizenship that emerged in 17th and 18th-century Europe with reference to Thomas Hobbes, John Locke, and eventually the birth of the nation state in the 19th century. He brought up the question of why citizenship was always discussed in terms of rights, and why there was not enough attention to investment in a society and acts of citizenship. He argued that if citizenship was to be imagined in a broader sense, rather than solely as the rights of territorial belonging, it would open doors to further possibilities for considering Islam and citizenship together. In this context, he mentioned the example of endowments (*waqfs*) and how they had allowed members of premodern Islamic societies to develop long-term relationships in their communities. He remarked that this had created a sense of attachment that a Christian's belonging to a certain city (for example, Damascus or Cairo) had been no less than a Muslim's. Dr. Anjum also stressed that *dhimmi*s should not be called minorities but rather 'non-Muslim people under Muslim rule', because they were not considered a minority in the modern sense of the term. Finally, he differentiated between the theological order, in which Qur'an was identified as absolute truth, and the legal order, which entailed the principle of no coercion in matters of religion.

Dr. Mohammed Fadel then discussed the term citizenship in contemporary Islamic thought. He began by noting the history of the term in political theory, one closely related to the ideals of democracy and self governance. From this aspect, he argued that despotism contradicted the idea of citizenship, and proceeded to trace a parallel within Islamic law. He suggested that because despotic regimes were lawless regimes, they were the conceptual equivalent of what classical Muslim jurists called *dār al-ḥarb* (house of war). Dr. Fadel made special reference to Hanafi jurist Muhammad al-Shaybani (d. 805) describing *dār al-ḥarb* as an arbitrary state where the ruler did what he wanted, whether enslaving people or confiscating their property. He then drew a contemporary parallel to *dār al-ḥarb* by referring to the apartheid regime in South Africa, and the reaction of South African Muslims. Dr. Fadel later classified possible forms of citizenship in the modern world into three categories: 1. Despotism, 2. Deliberative democracy, and 3. Pluralist model democracy. He then elaborated on these forms in terms of which would be the most suitable for Muslim minorities, with a particular emphasis on the American context. He claimed that even though deliberative democracy raised theological and political questions, pluralist model democracy left American Muslims extremely vulnerable. He concluded that "whatever theological institutional challenges the commitment

to deliberative democracy entails, Muslims in the US have no choice but to hitch their wagon tightly to deliberative democracy as a political ideal.”

Lastly, Dr. Basma Abdalgafar approached the notion of citizenship from the perspective of Islamic ethics and morality, particularly in the light of the works of Professor Ismail al-Faruqi and Professor Mohammad Abdallah Draz. She described the Islamic principle of *tawhīd* as the summation of the Qur’an’s theory of ethics and the heart of the Shari’a. Besides the simple understanding of *tawhīd* as oneness of God, she drew attention to the complex understanding of the term as the pursuit of translating the oneness of God into a truth that integrated revealed and unrevealed truth. She then expanded on Faruqi’s duality principle, namely God and everything aside from God, by dividing the second order into two suborders: the individual, and everything else. She explained the importance of this distinction by pointing out that the interaction of an individual with everything in the second suborder defined his/her relationship with the first order (i.e. God). She further clarified that the second order was also characterized by the principle of interdependence, a principle she coined to refer to attachment as the primordial distinct in humans. Dr. Abdalgafar subsequently touched upon the issue of natural law by quoting Dr. Mohammad Abdallah Draz as saying that the Qur’anic ethics were comprehensive and they extended over everything, in which acts of worship constituted only one aspect. She concluded with Draz’s remarks that knowing these ethics was only the starting point and the use of reason was necessary to actualize them. In doing so, one could be described as an “active citizen”.

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