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Analyzing the Islamist and New-Islamist Discourse on Minorities in an Islamic State

ADIL HUSSAIN BHAT¹

ABSTRACT

The call by the Islamist scholars for an Islamic state governed by the sharia law has given rise to the criticism that Islamic state would involve the discrimination of religious minorities and their reversion to inferior or second-class status. In this paper, the Islamic discourse on non-Muslims living in an Islamic state is examined under two trends: Islamist and the New Islamist trend. This paper is an attempt to highlight and understand the Islamic discourse on the citizenship of non-Muslim minorities. It will also contribute to how this discourse has changed over time. More importantly, it will put forth the efforts made by New-Islamist scholars who associate themselves with wasatiyyah movement to reconcile the Islamist and modern concept of citizenship. Notwithstanding, the objectives of this paper is threefold: to discuss the relationship between Muslim majority and non-Muslim minority in a proposed Islamic state; to identify the basic rights such as freedom of religion and other rights, that are available to non-Muslims residents of an Islamic state; and to assess how far the new-Islamist scholars have been successful in reconciling the traditional Islamist discourse with the modern nation-state notion of citizenship.

Keywords: *Citizenship, Dhimmis, Islamists, Islamic State, New-Islamists, Wasatiyyah*

Since the 1970's, there has been an 'Islamic resurgence' (also referred to as Islamism. Islamic resurgence or Islamism refers to those movements since 1970s that aims to strengthen Islamic influence in political, economic, and social life of an individual) in many parts of the Muslim world. Islamists convinced with Islam, as a complete way of life, have advocated for the establishment of an Islamic State. This call of Islamists has sparked apprehension and criticism among secularists for several reasons, one of which is the concern that the Islamic state would relegate its non-Muslim citizens to an inferior position. These concerns have initiated a debate between Islamists and new-Islamists on the question of non-Muslim rights and status living in an Islamic State.

The Islamist scholars reject the principle of 'right to equality' for all citizens and seek preferential treatment for Muslims. They assert that the granting full citizenship rights to non-Muslims is inconsistent with the ideological foundations of an Islamic state (Maududi 2011: 30–31). However, since 1980s, some Muslim scholars have made extensive efforts to re-conceptualize traditional Islamist discourse on non-Muslim citizenship and have tried to reconcile it with the modern concept of nation-state citizenship. They pursued comparatively secular and liberal approach regarding non-Muslim citizenship and are often described as 'New-Islamists' (Baker 2003: 1). For them, there are no inherent contradictions between the non-Muslim citizenship rights and the *Sharia*. It is worthy to mention here that although the new-Islamists are very much flexible in their approach, they continue to assert some kind of preferential treatment for Muslim citizens.

¹ **Adil Hussain Bhat**, Junior Research Fellow, Department of Political Science, Aligarh Muslim University, Aligarh, 202002, INDIA. Email: syedadilshakeel@gmail.com

Islamist's Model for *Dhimma* Citizenship

Islamists have never accepted the secular-liberal model of citizenship that grants equal rights and privileges to everyone irrespective of their religious affiliations. Rather, they continue to see the traditional *dhimma* model as the base for granting limited rights to the non-Muslim residents of an Islamic State. The main feature of Islamists is their call for the creation of an Islamic state upon the *sharia* principles. Their slogans such as "Islam is the solution," "Quran is the constitution," and "Islam is the system" implicitly entails that Islam has a separate theory on political system, which Islamists in general are trying to implement in the Muslim world (Nazih 1991: 1).

Most Islamists who advocate for the creation of Islamic state repeatedly emphasize on the traditional Islamic jurisprudence and historical precepts of 'Islamic governance' in order to prove "obligatoriness of an Islamic state" (Nazih 1991: 1). In the same way, they emphasized on the permanence and sacredness of the *dhimma* model of citizenship. In their view, *dhimma* is a divinely ordained model that should not be changed or revoked. Therefore, the Islamists contend that the restoration of *dhimma* model is an important condition for the re-establishment of an Islamic political system. Moreover, they believe that the *dhimma* is a trust and it is a religious responsibility of every Muslim to 'protect life and property' of non-Muslim residents of an Islamic state. Islamists use the terms such as '*ahl al-dhimma*' (protected people) or '*ghayr al-muslimin*' (non-Muslim) for non-Muslim minorities. They argue that the non-Muslims are the residents of an Islamic state, who live in an Islamic state based on a contract that endows them with the freedom to practice their own religion and regulates their relations with the Muslims in general and Islamic government in particular (Uriah 2000: 2). Therefore, the contract between non-Muslim and Islamic government is the prerequisite for obtaining the status of 'protected people' that is why these 'protected people' are sometimes also referred as *al-mu'ahidin* (holders of contract). In this respect, Watt (1968: 49-50) observes that the Islamic system of *dhimma* is an evolution of the nomadic Arab practice of protection where it was customary for powerful tribes to extend their protection to smaller or weaker tribes. Furthermore, he claims that it was a matter of honor for the strong tribe to publicly demonstrate that its protection was effective.

Islamists classify non-Muslim subjects living in an Islamic state into different categories. The classification is important because it affects the relation of Muslims and non-Muslims. Islamist profounder, Sayyid Maududi, who founded *Jama'at-I-Islami* party in Indian subcontinent classified non-Muslims residents of an Islamic state into three different categories based on the way they obtain the membership of the Islamic state. The three categories are:

1. The first category includes all those non-Muslims who accepted the supremacy of an Islamic rule willingly or in times of war and then enter into a contract with Islamic government. They are required to be treated by the terms and conditions of a contract.
2. Those non-Muslims who continuously fought with Muslims and submit only when they are defeated, and their territories are annexed by the Muslims come under the second category. They are given the status of 'protected people' soon after they are willing to pay the *jizya*. Once the state accepts their *jizya*, it becomes obligatory for an Islamic state to protect the life, honor and property of these non-Muslims.
3. The third category includes all other non-Muslims living in the Islamic state by ways other than mentioned above. They are required to be treated by the general rights of all *dhimmis* (Maududi 1960: 278-282).

Further, Islamists contend that non-Muslims may unilaterally renounce the *dhimma* (covenant) whenever they like, but Muslims are bound not to break the bond. The *dhimmis* can be deprived from their status of 'protected people' if they rebel against Islamic state and join its enemies or if they openly revolt against the Islamic state and attempt to overthrow it (Ibid, p. 286). This implicitly entails that if the non-Muslim subjects of an Islamic rule revolt against the restrictions imposed on them, then they lose their status of protected people and become the 'people of war.' In this respect Professor Nizami (1961: 311) observes:

"It means that so long as a dhimmi did not do anything calculated to harm the safety or integrity of a Muslims state, there could be no justification for any state action against him".

From the above discussion, it is obvious that the Islamist scholars aims to revive *dhimma* model for regulating relations between Muslim and non-Muslims. However, the questions that remains is how the Islamists who call the recreation of an Islamic state are able to strike a balance between traditional *dhimma* model and nation-state citizenship based on Western values of equality, human rights and so on.

***Dhimmi* Rights in an Islamic State**

Islamist's approach towards non-Muslim's rights and obligations "revolves around an orbit of the realities of Islamic history" (Scott 2010: 94). The *sharia* provides non-Muslims certain 'human claims' (rights) under which their life, property, honor, and trade activities were protected (Patricia 2004: 282). Islamists believe that Islamic law provides certain rights for the non-Muslims that must always be recognized and respected by the Islamic political system. Sayyid Maududi claims that any political system which does not promote and protect the rights of non-Muslims residents is not 'Islamic system' at all (Mawdudi 2017: 33). Therefore, the rights and obligations are preserved in the *Sharia* laws (Quran and *Sunna*) and the purpose of Islamic state is to enforce and defend those laws and by extension, the rights of its non-Muslim citizens.

As mentioned earlier, the Islamist scholars maintain that the status of non-Muslim as 'protected people' or *ahl-al dhimma* is subject to an agreement held between Islamic government and the non-Muslims who are willing to accept Islamic rule. Under the *dhimma* model, certain rights are guaranteed to non-Muslim citizens. The Islamic state provide certain rights to the non-Muslim not as a private individual but as a member of a 'protected community', and he could enjoy them only as long he is a member of that community (Lambton 1981: 204). The same rule applies to the Muslim rights also, whose rights were not due as an individual but as a member of Muslim community. Thus, it is said that there is no concept of individual rights in Islam and thereby Islamic state. This implicitly indicates that the Islamist scholars denounces the Western individualistic framework of rights and instead advocate the *dhimma* model that "gives precedence to collective rights and freedom over individual rights and freedom" (Yousif 2000: 39).

The Islamist scholars maintain that non-Muslims have the rights such as security of life and property, freedom of religion unless they misuse such privileges and endanger the security and stability of an Islamic state. Here it is pertinent to mention that the freedom of religion did not apply to Muslims who wished conversion from Islam to any other religion. Most of the four schools Islamic law maintain that the conversion Muslim to any other religion would be tantamount to apostasy and thus punishable to death (Ebrahim 2001: 12). The non-Muslim's freedom of religion grants them immunity to worship and perform their religious rituals and ceremonies in their own prescribed way, but they must keep Muslim sentiments in consideration in order to avoid communal tensions and for maintaining communal harmony between different religious communities (Uriah 2000: 4). Whilst Islamists provide that non-Muslim minorities must not offend Muslim sentiments; they do not enjoin same for the Muslim majority. *Dhimmi's* freedom of religion also allows them to have their own religious places and organization. The *dhimmis* are allowed to build or renovate their places of worship if circumstances of the society suitable for it, that is possible only in the areas where the non-Muslims are in majority (Maududi 1960: 238). The Islamists held that the *dhimmi* citizens in terms of 'freedom of expression' have the same right as that of Muslims and the state is bound to treat *dhimmis* well as long as they abide by the laws of the state and are loyal to it. In this respect, Sayyid Maududi (1960: 296-297) wrote:

In an Islamic state, all non-Muslims will have the same freedom of conscience, of opinion, of expression and of association as the one enjoyed by the Muslims themselves, subject to the same limitations as are imposed by law on the Muslims. Within those limitations, they will be entitled to criticize the Government and its officials, including the Head of the State. They [non-

Muslims] also enjoy the same rights of criticizing Islam as the Muslims had the right to criticize their religion.

In addition, the Islamists maintain that the non-Muslims are entitled for judicial autonomy. In other words, non-Muslims have the freedom to have their own personal courts that will decide all their personal matters in accordance with their own religious laws. The Quran says in chapter 5 verse 47, "let the people of gospel judge by what god hath revealed therein." The non-Muslim's prerogative of judicial autonomy grants them freedom to have their own special courts that would enforce their personal laws. The right to judicial autonomy entails that non-Muslims can resolve their disputes in their personal courts, and that "a Muslim judge cannot examine or give verdicts in these cases unless they [non-Muslims] themselves refer these cases to him" (Scott 2010: 104). Moreover, the right to judicial autonomy also refers that non-Muslims have immunity to trade in wine and pork and above all the freedom to marry without fixation of *Mahr*, as prescribed by *Sharia* law. (-Mahr is often incorrectly translated as dowry, but both are different from each other. Mahr is obligation in the form of money, or anything paid by the groom to the bride at the time of marriage. While on the other hand, dowry is the money or property usually paid by the parents of a bride to the family of groom upon marriage). A prominent orientalist, Bernard Lewis, clearly sums the freedom of non-Muslims in the following lines:

"They [Non-Muslim] were allowed to practice their religion and to maintain, and when necessary, repair their places of worship... In general, they enjoyed a large degree of autonomy under their own religious chiefs... In most civil matters, including marriage, divorce, inheritance, and the like, as well as disputes between members of the same community, their disputes were heard before their own courts and decided by their own judges, according to their own laws" (Lewis 1993: 47-48).

Despite comprehensive protection and communal autonomy of non-Muslims under Islamist's *dhimma* model, there is no presumption of equality between Muslim and non-Muslims. The inequality between Muslims and non-Muslims is reflected in terms of differentiation in the political representation. The non-Muslims were subjected to several restriction in the political spheres. The Islamist scholars maintain non-Muslims cannot hold the key posts from where they can influence or change the policy of an Islamic state. Behind this, the Islamists present the rationale that in Islam, there is inseparability between the 'religion' and 'state' and the first and foremost responsibility of a state is to establish and defend the religion of God (Ahmad 2006:12).

The Islamist scholars maintain that one of the criteria for "commanding good and forbidding evil" was the belief in the religion of Islam. Thus, the key positions such as 'head of state' has religious responsibilities that cannot be performed except by a Muslim; for instance, leading Muslims in prayer, leading them in war and judging disputes between the people in the accordance to the *Sharia* law. In this respect, Charles J. Adams argues that it is unacceptable that one (non-Muslim) who does not understand and accept Islamic ideology should be an effective agent of Islamic society endeavoring to realize its implications (Adams 1983: 121). Therefore, it is in the foundation of an Islamic state that only those who believe in it in Islam should administer it. Nazih Ayubi maintains although Islamists concept of *dhimma* calls that non-Muslims should be treated fairly but it excludes them from political participation. Moreover, he says that these type of views on non-Muslims sounds quite derogatory as if non-Muslims are outsiders (Nazih 1991: 40).

The traditional Islamist maintain that the question of the *dhimmi* rights is intimately connected with the obligation of paying *jizya* tax. In their opinion, the *jizya* is charged on the non-Muslims for their exemption from military service and for protecting them against internal as well as external aggression. Moreover, they believe that the state is bound to return the amount of *jizya* if it fails to provide full protection to *dhimmi*s (Nizami 1961: 310-311). That is why some Muslim scholars often describe *jizya* as a 'protection tax' (Hamidullah 2012: 102). Asad (1961: 94) a prominent Islamist scholar, while presenting the rationale behind the imposition of *jizya* says:

The difference between Muslims and non-Muslims is that the former is bound by the commandments of his religion to sacrifice his life in a just war (jihad), whereas non-Muslim citizens cannot under any circumstances be called upon to do the same . . . They are entitled to exemption from military service on the payment jizya... No fixed rate has been set but from the available traditions of Prophet, it is evident that it to be less than the zakat to which Muslims are liable.

This assertion entails that *jizya* is levied on non-Muslims as a substitute of their exemption from military service and for providing protection to them. Therefore, the *jizya* that is usually misunderstood by some as a tax designed to force non-Muslim conversion to Islam is in fact quite different. Here, it is worthy to highlight that the *jizya* as a substitute for military service is imposed only on those non-Muslims who are capable for participation in the military service. Whereas those non-Muslims who need support such as disabled, slaves, children, mentally abnormal are not only exempted from paying *jizya* but are helped by monthly stipends from public treasury (Hamidullah 2012: 101). Arnold (1913: 61) in his '*Preaching of Islam*' further clearing the grounds of imposing *jizya* writes:

The jizya was levied on the able-bodied male in lieu of the military service they would have called upon to perform had they been Muslims; and it is very noticeable that when any Christian people served in the Muslim army, they were exempted from the payment of this tax.

Thus, the Islamist discourse on religious minorities represents the classical perspective that tends to be uncompromising on the question non-Muslim rights and status in an Islamic state. Under the traditional Islamist's *dhimma* model for the regulation Muslim and the non-Muslims relationship, the former enjoyed more privileges than later. The *dhimmi* rights mainly included security of life and property and freedom of religious practice in return for their loyalty towards the state, but they are debarred from the representation in the key posts of an Islamic state (Maududi 2011: 29). This inequality treatment of the non-Muslim in an Islamic state has been used by the Islamophobes as evidence of Islamic intolerance. Therefore, they have been continuously raising allegations that the application of *Sharia* law in an Islamic state will ultimately result in the persecution of non-Muslims therefore demonizing Islam and by implication Muslims. Although, it has been argued the Islamist model of *dhimma* has provided the basis for religious tolerance during 'golden age' of Islam. However, the modern scholars such as Tariq Ramadhan and Abou El Fadl contend that *dhimma* does not provide suitable framework for citizenship in modern nation-states. They maintain the Islamist's idea of non-Muslim citizenship grants unequal rights on the basis of religion that "legitimises de facto discrimination" (Ramadan: 2010: 168–169) and "asserts hierarchy of importance" between human beings (Fadl 2002: 13).

In contemporary world, the Islamist's discourse on non-Muslim minority rights faces many challenges. One of the major challenges faced by these Islamist scholars is their failure to address how the traditional *dhimma* model can be implemented in the light of modern concepts, such as citizenship, human rights and democracy. As a result, many "New-Islamist" scholars pursued somehow liberal approach to interpret Islam, thereby non-Muslim citizenship (Baker 2003: 14). They did not aim to imitate traditional Islamic jurisprudence rather they attempt to reconcile Islamic tradition with the nation-state citizenship for making it compatible in modernity. However, in the process of reformulation, they arrive at an interpretation that put them at odds with Islamist scholars.

Reformulation and the New-Islamists

Although scholars like Zeiden have previously maintained that "a radical reinterpretation of the *Sharia dhimmi* concept in favor of non-Muslim equality is at present unlikely" (David 1999: 64). Some scholars such as Fahmi Huwaydi, Tariq al-Bishri, Muhammad Salim al-Awwa and Yusuf al-Qaradawi are committed to making *Ijtihad* (the use independent reasoning in examining the historical context of the revelation to deduce new Islamic laws in the light of new circumstances) within Islamic tradition for developing a new concept of citizenship for non-Muslims that endows

them with equal civil and political rights. Faced with the task of advocating Islam's compatibility to the modern nation-state citizenship these scholars strongly felt that it is the duty of all modern Muslim thinkers and activists to answer the modern challenges with creative solutions embodying Islamic values and principles. They called for the moderate approaches to the problems challenging contemporary Islamic societies that do not require to overthrow the already established institutions (Baker 2003: 12). Their discourse emphasized on the tolerance towards non-Muslim minorities and the necessity of framework that would guarantee them full accommodation in the proposed Islamic state without challenging the ideological basis of the state itself. Anjum argues that one group of scholars have done so by employing *Ijtihad* within the Islamic tradition whereas other scholars have done so by adopting the framework of nation-state completely (Anjum 2016: 33). The commonality of both groups is that both have emphasized on the compatibility of Islam with modern concept of nation-state citizenship that marks the shift away from the Islamist ideas calling for the application of *dhimma*.

Since 1990's many Muslim reformist scholars, who associate themselves with the groups like Egyptian Muslim Brotherhood and Pakistani *Jamaat-i-Islami*, are believed to have embraced the nation-state and have crucially contributed to the secularization of their societies (Anjum 2016: 32). This is so because the traditional Islamic jurisprudence is inherently opposed to modern nation-state based on the philosophy of secularism. The reformists think of their intellectual school as an outcome of 'centrist Islamist thinking', known as *Wasatiyya* (Baker 2003:1). The scholars claim that the Islamic historical precepts must not determine the relationship between Muslims and non-Muslims in contemporary Muslim world. They emphasized that Muslims must not adhere to only one interpretation of the Quran. For this purpose,

These scholars, differentiates between the fixed and the temporary provisions in the Quran. They claim that the Quranic verses related to the relation between an individual and Allah (God) are fixed and thus must be obeyed. Whereas the Quranic verses pertaining to the relation between Muslims and non-Muslims are flexible and are subject to reinterpretation with changing circumstances (Scott 2010: 128–129). Therefore, they held that the Quranic verses that are used to justify discrimination of non-Muslims must be reinterpreted contextually.

The *Wasatiyya* intellectuals acknowledges the breakdown of Ottoman Empire in 1920s and the subsequent establishment of nation-state system in the Muslim world. Like all the Islamists, the *Wasatiyya* scholars call for the application of Islamic law and are inherently opposed to secular philosophy of the West. They see Islam as complete and inclusive system that provides principles for state, society, and government. Although the reformist scholars claim, Islam is a superior system in which the rights of everyone, including non-Muslims, are perfectly secured but unlike Islamists, they believe that the imposition of traditional Islamic jurisprudence is not suitable in modern times (Baker 2003: 2–3). Rechal Scott in his scholarly work *The Challenges of Political Islam: Non-Muslims and the Egyptian State*, argues that the *Wasatiyya* scholars seeks the social and political participation of non-Muslims in an Islamic state. She believes that the relationship between Muslims and non-Muslims as articulated by the *Wasatiyya* scholars is based on the concept of citizenship that endows non-Muslims with somehow equal rights. Moreover, she contends that the strength of *Wastatiyya* approach is that it takes account of Islamic principles and texts while responding to the contemporary challenges and problems of the Muslim world.

The term 'citizenship' did not exist in Islamic political language and is comparatively new concept in Islamic political thought (Lewis 1988: 63). Scott points out that the scholars who associate themselves with process of reformulating non-Muslim citizenship have developed the concept *mauwatana* for citizenship, derived from the term *watan* that refers to "one's place of birth or residence." Bernard Lewis asserts that the term '*watan*' originally did not have any political connotation and it was only after the introduction of Western idea of citizenship in the Muslim world that a term *mauwatana* was used in the political sense (Lewis 1988: 63–64). Scholars have defined *mauwatana* as "full civil, political and economic rights of all citizens" irrespective of their religious affiliations as opposed to the traditional *dhimma* model. Thus, the concept of *mauwatana* used for describing citizenship in Muslim world, resembles liberal model

where every citizen is endowed with equal rights and responsibilities without any discrimination (Warren & Gilmore 2012: 3–4).

Although the articulation of non-Muslim citizenship in contemporary Islamic state discourse is new but the methods, they employed for this articulation are not. The new-Islamist intelligentsia belong to the broader school of Islamic thought that advocates the primacy of *Ijtihad* in place of 'blind imitation' of traditional Islamic jurisprudence thus marking shift away from mainstream Islamism (Scott 2010: 127). Through the use of *Ijtihad*, Scholars such as Fahmi Huwaydi, Tariq al-Bishri, and others emphasized on the temporal nature of *dhimma* pact thus opening the gate for its revocation. These scholars assert that the traditional *dhimma* model is not divinely mandated system rather it is human contract along with the *jizya*, which can be discarded by the modern Muslim generation (Warren & Gilmore 2012: 3), thus making the way for the establishment of non-Muslim citizenship.

These scholars view *dhimma* and *jizya* as the two major obstacles in the way of securing equal rights for non-Muslim. Fahmi Huwaydi argues that traditional formulation Islamic jurisprudence regarding the legal status of Muslim has been shaped by the enmity of non-Muslims towards Islam. He therefore demonstrated the weak justification of *dhimma* model by referring that the term *ahl al-dhimma* (people of contract) was not an Islamic invention but was used by the 'Arab' tribes in the pre-Islamic era (Scott 2010: 128). Thus, clearly historicized the traditional *dhimma* model thereby making way for reconciliation of non-Muslim citizenship with Islamic principles. Hence, he began to shift away from the Islamist's model of limited rights for minorities towards full citizenship rights. This was based on the re-reading of "Constitution of Medina" that endowed non-Muslims living in Medina with same rights as Muslims. In the same line, Tariq al-Bishri argues that the *dhimma* is a 'political concept' that has been replaced by the nation-state citizenship. He therefore does not accept the division of citizens along religious lines. His main contribution in the process of reconciling non-Muslim citizenship with the Islam is that he redefined *sharia* as "a unifying force, in which religious and nationalist elements can meet and is capable of providing equal civil and political rights to non-Muslims in modern times" (Scott 2010: 135).

The same principle applies to *jizya*, which in their opinion was also not an Islamic in nature. They deny the allegations that *jizya* was imposed on non-Muslims for their disbelief in the religion of Islam or it was a sign of submitting to the superior Islamic authority. Huwaydi maintain that the meaning of the Quranic verse 9:29 as "Fight those who believe not in Allah nor the Last Day, nor hold that forbidden which hath been forbidden by Allah and His Messenger, nor acknowledge of truth, (even if they are) of the people of the Book, until they pay *jizya* with willing submission, and feel themselves subdued," is misunderstood. He argues such an interpretation of Quranic verse made by the jurists reflects animosity between Muslims and non-Muslims and undermines some of the basic Islamic principles including respect towards human beings and their religion. According to him, the actual meaning of the 'idea of submission' is accepting the rule of Islamic law and abstain from fighting against Muslim ruler.

Although Islamic jurists are not unanimous with respect to the meaning and definition of the *jizya*, it is generally accepted that the actual meaning of *jizya* is that it was a charged on non-Muslim for their exemption from the military service of an Islamic state. Salim al-Awwa argues the fact that *jizya* was taken as a substitute payment for defence, undermines the religious rationale behind the imposition of *jizya*, which justifies the argument to discard the *jizya* altogether. The moderate Islamist scholar, Rashid al-Ghannushi had suggested the solution to end this discrimination of non-Muslims. He insists that the obligation to pay *jizya* tax should be equal for all regardless of their religion. Therefore, he suggests that imposition of the *jizya* should be extended to Muslims also. In the same way, *zakat*, which is usually taken from Muslims, could also be extended for non-Muslims (Saeed 1999: 318). Thus, removing any discrimination in terms of fiscal obligation between the Muslims and non-Muslims.

The reformist scholars also address the sensitive issue in the ongoing debate of non-Muslim rights in an Islamic State, that is, whether they should be permitted to hold senior government positions. Taking Iranian constitution as a model, reformist scholars favors the inclusion of non-Muslims and their right to hold any government post however they insist that the

positions which are related to religion or have direct impact on the religious life of Muslims, should be reserved for Muslims only. Therefore, non-Muslims have limited political responsibility, that is, they were exempted from the duty of “enjoining the good and forbidding evil” (Lambton 1981: 310) put upon Muslims. In their view, “not allowing non-Muslims to be head of state is not the violation of citizenship because the state has the responsibility to protect Islam because in Islam, there is no institution like church in Christianity” (Scott 2010: 152).

The most important development for the inclusion of non-Muslims is derived from Yusuf al-Qaradawi’s intellectual leadership of *Wasatiyya* movement that has greatly influenced the policies of Islamist political groups such as *Hizb al-Wasat* in Egypt calling for equal civil and political rights for both Muslims as well as non-Muslims in an Islamic state (Warren & Gilmore 2014: 218). Although al-Qaradawi in his early works advocated for retaining the classical *dhimma* model. Thereafter, he has changed his original position and engaged himself in the process of developing new Islamic citizenship model in which “non-Muslim citizens have same civil and political rights as their Muslim co-citizens. However, while attempting to integrate nation-state citizenship within the Islamic tradition, al-Qaradawi unlike his contemporaries did not clearly historicize the *dhimma* contract instead he stood for the retention of *dhimma* model of traditional Islamic jurisprudence. In his view, the citizenship is another way of articulating the concept of *dhimma* (Scott 2010: 143). However, recognizing the fear of non-Muslims that they might be discriminated he calls to delete the historical words such as ‘*dhimma*’ and ‘*ahl al-dhimma*’ that are unacceptable to non-Muslims in modern times. The conflation of *dhimma* and citizenship is limited to al-Qaradawi. Other reformist scholars such as Muhammad Habib, Mamduh Ismail, Ma’mun al-Hudaybi makes same conflation for the same reason. These scholars along with al-Qaradawi claim that the issue of non-Muslim citizenship has been resolved within the Islamic jurisprudence, and without borrowing anything from the Western concept of citizenship.

Thus, there have been signs in the Muslim world that these new-Islamist scholars have laid down the theoretical foundation for non-Muslim citizenship model within the Islamic framework by incorporating modern concepts of human rights, justice, and egalitarianism. These scholars accept the concept of nation-state citizenship, but they do not interpret Islam in the secular sense and maintain the religious identity of state. These developments in the Islamic thought had a significant impact on current political debate on non-Muslim rights and are being embraced by some major political parties of the Muslim world. Recently, Abdullah An-Na’im, who stood for the reformulation of certain traditional Islamic law, including the traditional *dhimma* model for non-citizenship, advocated that the “personal concept” of citizenship in Islamic jurisprudence should be replaced with a “territorial concept” of citizenship. Further elaborating this, he writes:

The personal concept of citizenship would confer this status on the basis of some personal attribute or quality such as religion or ethnicity, the territorial conception of citizenship, which has now become the norm, confers the benefits and burdens of citizenship on all those born and permanently resident within the territory of the state, as well as those naturalised under the relevant provisions of the law of the land. It is morally repugnant and politically inexpedient to deny a full citizenship to any person who was born and permanently resident within the territory of the state unless such person opts for and requires the citizenship of another state (An-Na’im 1990: 84).

To sum up, the study has shown that the Islamist discourse on non-Muslim minorities faces enormous contradictions in contemporary world. The Islamist’s call for the application of *dhimma* model discriminates non-Muslim for their disbelief in the religion of Islam. The paper has argued that the Islamist discourse on minorities is contrary to the ‘principle of equality’ and the current public opinion is unwilling to tolerate or accept any degree discrimination merely on the basis of religion. Therefore, the challenge that Muslims are facing in modern times is to develop a form of non-Muslim citizenship that overcomes the traditional Islamic jurisprudence and guarantees the full social and political inclusion of non-Muslims in an Islamic state.

Although, scholars studying secularism and its trajectory in the Muslim world claim that nation-state citizenship cannot be achieved within Islamic framework but the recent developments in Muslim world, particularly in the modern Egypt, suggest that efforts are being made to reconcile citizenship within the Islamic traditions. The reformist Islamist scholars, who associate themselves with *wasatiyyah* trend, attempted to reconcile sharia with the modern concepts such as tolerance, pluralism, and citizenship. Although, they claim that they are committed to the political participation of non-Muslims, but this claim has been subject to criticism on the question of political leadership of non-Muslims. The reformist scholars assert that it is not logical to have a non-Muslim, who do not believe in *sharia*, as the head of state. However, there are some exemptions who believe that the post of 'head of state' is not a religious one and remain convinced that non-Muslims can occupy all posts including 'head of state' post. Thus, the political leadership of non-Muslims have become litmus test for Islam's commitment to inclusion of non-Muslims. All this suggests that the debate on the status of religious minorities or the concept of non-Muslim citizenship in an Islamic state is gradually evolving.

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