

Debunking Myths About the Khilafah

Myth Four: “It Oppresses Non-Muslims!”

“At the time of the Umayyad caliphate, the people of the covenant, Christians, Zoroastrians, Jews, and Sabians, all enjoyed a 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.” **Will Durant, American Writer and Historian, ‘The Story of Civilization – The Age of Faith’**

- Islam came as an address for all humankind, regardless of religion, school of thought, race or gender. In the Khilafah (Caliphate), all citizens, Muslim and non-Muslim, will enjoy the benefits of the Islamic system and full protection of their lives, property and honour without discrimination. All those who reside in the Islamic territories are viewed as citizens, irrespective of creed, colour or ethnicity.

“All citizens of the Islamic State are entitled to enjoy the Shariah rights and duties.” **(Article 5, Draft Constitution for the Khilafah of Hizb ut Tahrir)**

- All those who hold the Islamic State citizenship are subjects of the State; their guardianship and the management of their affairs are of the duty of the State, without any discrimination. All the people who hold the Islamic citizenship, Muslims or non-Muslims, should therefore be treated equally, without any discrimination between them either by the ruler, in terms of looking after their affairs and in terms of protecting their lives, their honour and their wealth, or by the judge in terms of equality and justice, for Allah (swt) says: ﴿وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ﴾ “**And when you judge between people to judge with justice.**” [An-Nisa: 58].

“All citizens of the State shall be treated equally regardless of religion, race, colour or any other matter. The State is forbidden to discriminate among its citizens in all matters, be it ruling or judicial, or caring of affairs.” **(Article 6, Draft Constitution for the Khilafah of Hizb ut Tahrir)**

- The non-Muslim citizens living under the Khilafah are referred to in Shariah, as dhimmi (person under covenant). There are many sayings of the Prophet (saw) ordering good treatment of the dhimmi and not abusing them, overburdening them with heavy taxation or treating them as second-class citizens. The Messenger of Allah (saw) said: «من ظلم معاهدا، أو انتقصه حقا، أو كلفه فوق طاقته، أو أخذ منه شيئا بغير طيب نفس منه، فأنا حجيجه يوم القيامة» **“Beware, if anyone wrongs a contracting man, or diminishes his right, or forces him to work beyond his capacity, or takes from him anything without his consent, I shall plead for him on the Day of Judgment.”**

- The state will not interfere with the beliefs or worship of the dhimmi. They will be allowed to adhere to their own laws in matters of marriage and divorce according to their religion. The State will appoint a judge from their own people to settle their disputes based on their religion in courts belonging to the State. The non-Muslims will be treated in matters related to foodstuffs and clothing according to their faith and within the scope of what the Shari’ah rules permit. All the remaining Shari’ah matters and rules, such as: the application of transactions, punishments and evidences (at court), the system of ruling and economics are implemented by the State upon everyone, Muslim and non-Muslim alike. **(Article 7, Draft Constitution for the Khilafah of Hizb ut Tahrir).**

- “The Islamic state allowed the people of other religious affiliations to use their own courts. What we know about these courts is that they were church courts and prominent spiritual leaders were the chief justices.” **Adam Metz, Western historian, regarding the treatment of non-Muslims in the Khilafah in the 4th century after Hijra**

- Prophet Muhammad (saw) stated in the Covenant of Madinah, the first state ruled solely by Islam: “It is incumbent on all the Muslims to help and extend sympathetic treatment to the Jews who have entered into an agreement with us. Neither an oppression of any type should be perpetrated on them nor their enemy be helped against them.” **(Ibn Hisham, as-Sira an-Nabawiyya)**

- Umar ibn al-Khattab (ra), the second Khalifah of Islam, granted the Christians of Palestine the right to practice their religious beliefs in security and peace. His treaty with the Palestinian Christians stated: “This is the protection which the servant of Allah, Amir al-Mumineen (Leader of the faithful), grants to the people of Palestine. Thus, protection is for their lives, property, church, cross, for the

healthy and sick and for all their co-religionists. In this way that their churches shall not be turned into dwelling houses, nor will they be pulled down, nor any injury will be done to them or to their enclosures, nor to their cross, and nor will anything be deducted from their wealth. No restrictions shall be made regarding their religious ceremonies.” (Tabari, Tarikh ar-Rusul wal-Muluk). In 869 CE, Patriarch Theodosius of Jerusalem confirmed the Muslims’ adherence to the Treaty of Umar, saying the following: “The Saracens [i.e. the Muslims] show us great goodwill. They allow us to build our churches and to observe our own customs without hindrance.” (Cited by Christopher J. Walker in ‘Islam and the West’)

- The classical scholars of Islam also detailed the rights of the Muslims towards the dhimmi. The famous Maliki jurist, Shaha al-Deen al-Qarafi states, “It is the responsibility of the Muslims to the people of the dhimma to care for their weak, fulfil the needs of the poor, feed the hungry, provide clothes, address them politely, and even tolerate their harm even if it was from a neighbour, even though the Muslims would have an upper hand. The Muslims must also advise them sincerely on their affairs and protect them against anyone who tries to hurt them or their family, steal their wealth, or violate their rights.”

- Umar ibn ‘Abd al-‘Aziz, an 8th century Umayyad Khalifah, wrote to his assistant in 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.” (Abu Ubayd al-Qasim in Kitab Al-Amwal (The Book of Revenue))

- When Syria had fallen into the hands of the Muslims under the Khilafah, the Roman Empire gathered a huge force to regain the region. Abu Ubaidah (ra) who was the military commander at the Syrian front could not be sure that he could guarantee the protection of the people of Syria from this attack, so he returned the Jizya to its Christian residents (a tax paid by the non-Muslim citizens of the state), saying, “We have returned your money to you because we have been informed of the gathering of the enemy troops. You people, according to the conditions stipulated in the contract, have obliged us to protect you. Since we are now unable to fulfill these conditions, we are returning your money to you.” The Christian citizens of Syria prayed for the Muslim commanders, saying, “May Allah help you to overcome your enemies and return you to us safely. If the enemy were in your place, they would never have returned anything to us, but rather they would have taken all our remaining property.” (Imam Tabari, Tarikh At-Tabari, Volume 1, p. 2050)

- Historically, the dhimmi prospered within the lands of the Khilafah. The British Jewish historian Cecil Roth mentions that the treatment of the Jews at the hands of the Ottoman State attracted Jews from all over Western Europe. The land of Islam became the land of opportunity. Jewish physicians from the school of Salanca were employed in the service of the Sultan and the Viziers (ministers). In many places, glass-making and metalworking were Jewish monopolies, and with their knowledge of foreign languages, they were the greatest competitors of the Venetian traders.

- “...though the Greeks were numerically superior to the Turks in all European provinces of the empire, the religious toleration thus granted them, and the protection of life and property they enjoyed, soon reconciled them to prefer the domination of the Sultan to that of any Christian power.” (From the book “The Preaching of Islam” by the British Historian T. W. Arnold, regarding the treatment of non-Muslims under the Uthmani Khilafah)

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