ISLAMIC CONCEPT OF CITIZENSHIP AND SOCIAL RESPONSIBILITIES IN THE CONTEMPORARY WORLD
By

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Abstract

Islam has laid claims to universality and the theory that its principles of and frameworks for equality transcend the particularities of tribe and nation, as well as, of the nation-state. The religion accentuates this further by eliminating all racial, ethnic and hereditary standards of distinction, which constitute the foundations of nationalism. The only valid ground on which individuals might be deemed superior to one another in the eyes of Islam is God-consciousness and piety (*taqwā*) (Q49:13). Despite this awareness, the Qur'ān has conveyed of the reality of people's attachment to their place of birth and residence. Though, it makes no direct reference to citizenship. This may be indicative of a certain openness of outlook above the restrictive framework of citizenship in modern times, which evolved in the light of the expansive roles and functions of the nation-state. Viewed from this perspective, the concept of citizenship represents a transition from a system based on the survival of the strongest to a constitutional system or the rule of law otherwise known as civil society in political history. This paper aims at contextualising the Islamic conception of citizenship with a view to re-reading it within the contemporary realities, while also attempting an examination of the responsibilities of Muslim citizens in an Islamic state.

Introduction

One of the main differences between Islam and most other world religions is that Islam does not concern itself with *'ibādāt* (worships) (Q28:77) alone and abandon the wants of society to any form of temporal governing body. Rather, the religion institutionalises ways of conduct, relationships, and rights and obligations for the individual vis-à-vis members of his family as well as those of a nation, and for the nation vis-à-vis other nations. There is no gainsaying that national development constitutes one of the *maqāṣid ash-sharī'ah* (Objectives of Islamic Law). It is the contention of Islam that acts of worships contribute to achieving this development. Within the framework of the human society, the Islamic nation is a compact union having recourse to itself; possessing an inner sense of responsibility for its own members, and resisting decay, both individually and collectively.

The individual's responsibilities/obligations to the nation in Islamic societies and conversely the nation's responsibilities to the individual are of primary magnitude, constituting a trust of life. It is for that reason that Islam introduces *community worship*. The religion also enjoins the group not to neglect the individual, obligating it to safeguard his various interests, to respect his rights and freedom, and to harmonize different interests. In Islam, praying in groups is preferred many times over to praying individually. Thus, the individual is an integral constituent of the Islamic society; he perfects it and is perfected by it, he gives to it and receives from it and he protects it, and is protected by it. Engendering this two-way responsibility is Islam's principal way of effecting reform and social solidarity. Islam has impressed the meaning of these two types of responsibility on the individual and collective conscience in order to guarantee for Muslims the life of an integrated, comprehensive, happy, and industrious body in a 'classless' society. According to the Prophet (SAAS):

> every one of you is a shepherd, and every one of you will be questioned about those under his rule: the ruler is a shepherd, and he will be questioned about his subjects; the man is a shepherd in his family, and he will be questioned about those under his care; and the woman is a shepherd in the house of her husband, and she will be questioned about those under her care... Thus, every one of you is a shepherd and is responsible for those under his care (Al-Bukhari, 1979).

In the words of the Qur'ān also: "Seest thou one, who denies the Judgment (to come). Then such is the (man) who repulses the orphan (with harshness) and encourages not the feeding

of the indigent" (107:1-3). It is by this that the understanding between individual and society of common responsibility for common interests would resist social ills, and every method for achieving reform remain fruitless unless preceded by such an understanding.

Similarly, Islam has laid claims to universality and the theory that its principles of and frameworks for equality transcend the particularities of tribe and nation, as well as, of the nation-state. The religion accentuates this further by eliminating all racial, ethnic and hereditary standards of distinction, which constitute the foundations of nationalism. Citizenship, in this contemporary context, has therefore evolved in the light of the expansive roles and functions of the nation-state. The concept represents a transition from a system based on the survival of the strongest to a constitutional system or the rule of law otherwise known as civil society in political history. It is in the light of this background that this paper aims at contextualising the Islamic conception of citizenship with its contemporary realities, while also attempting an examination of the responsibilities of Muslim citizens in an Islamic state.

Concept of Citizenship

The concept of citizenship is such that defies a straight-jacketed definition. The debate on the concept finds different roots and grounds according to different historical and political contexts of contemporary societies. The idea of citizenship is directly linked to both modernity and democratic statehood. Modern citizenship, according Turner (2006), is said to be the product of three political revolutions: the English civil war (1642-1651), the American war of independence (1775-1783), and the French revolution (1789-1799). Its first denotations are of a dual nature; i.e. of belonging to a 'national' community; and at the same time of inclusion in a self-governing political community (Brubaker, 1992; Castles, 2005; Benhabib, 2005).

Gradually, with the structural changes in Western societies, new conceptualisations concerning community and 'belongingness' had evolved, which have therefore deeply broadened the concept of citizenship (Turner, 1993). The structural changes are mainly due to: first, the developments in Eastern Europe and the post-Soviet Union order that culminated into the emergence of complicated relationships between nationalism, political identity, and citizens' participation; second, the global refugee problem; third, the European Community/Union, where questions relating to minorities and migrant labours have arisen. These changes appear in a process of contracting citizenship while at the same time de-ethnicising it by the inclusion of

other regulations on acquisition of citizenship, and the increasing tolerance of dual citizenship and minority rights in the European Union (Dobrowoslsky & Tastsoglou, 2006).

Furthermore, various transformations in the nature and components of citizenship have been developed. The first is the development of a collective identity for citizens. The second element is political membership and the status as a legal citizen, and thus the privileges arising from it in the sense of access to the rights of public autonomy, where questions of inclusion and exclusion in and from the public sphere are indispensable. The third is the entitlement to active capacities manifested in universalistic social, civil, and political *rights* to influence politics and passive rights of resistance under a legal system. Other aspects could also include duties, participation and the civic virtue as in the role of civil society in the public sphere, and a statement of procedural equality (Kymlicka & Norman, 2000; Janoski & Gran, 2002; O'Byrne, 2003; Benhabib, 2005).

A concise outlook of the transformations of the concept of citizenship relates to each component. For instance, the liberalisation of access to citizenship (through reformed citizenship acquisition laws) could be seen as a major transformation in the element of status (Soysal, 1994; Joppke, 2007). The ethnic diversifications of society, migration and market flows are appropriate approaches to understanding the mutations in the aspect of identity and rights (Ong, 2006; Joppke, 2007). Current literature on citizenship is polarised between those, who defend citizenship as a master status in the modern nation-state, and 'post-national' critics, who see it devalued by the rise of a global human rights regime (Joppke, 2007). These ideas of 'post-national' citizenship and the description of the relationship between the citizen and the polity evolve the path for new conceptualisations and theorisations of citizenship. The influence of discourses on Orientalism and Occidentalism on the elaboration of theories of citizenship of an occidental nature can significantly contribute new perspectives to the on-going discussions about citizenship at large.

Isin (2002) argues that the western conceptions of citizenship entail two fundamental perspectives: Orientalism and syneocism. The former refers to the division of the world into essentially two civilisational blocks; the first is rationalised and secularised, therefore, modernised; the other one is irrational, religious and traditional. The second perspective is of syneocism, which is a way of seeing the polity as embodying spatial and political unification. The image that the first perspective reflects is of citizenship as a unique occidental invention, in

other words citizenship without kinship ties. As for the second perspective, the images are those of fraternity, equality, liberty and a unified and harmonious polity; therefore, the citizen is seen as a secular and universal being (Isin, 2002). Moving from the critique of the distinction between the ideas of a sovereign rational Western citizen, and that of an irrational traditional Eastern subject, new constellations of democratic and universal perceptions gain momentum and prominence. These theoretical attempts have been driven by the desire to rid citizenship of its ascriptive and particularistic qualities, and thus an intellectual move from the concept of 'place', where particularism and *ethnos* dominate, to a concept of 'space', where conceptions of universalism and demos prevail.

In this respect, the introduction of concepts like 'cultural citizenship' (Miller, 2002) has been considered another intellectual contribution to the debate. These new conceptualisations help to understand how orthodox histories of citizenship have postulated it as the western outcome of 'fixed' identities, nationhood, indivisible society, ethnic homogeneity and exclusive citizenship. Renewed interests in citizenship in the 1990s could be attributed first to theoretical reasons concerning the integration of the demands of justice and community membership, and second, to political factors such as increasing levels of voters' apathy, nationalist movements in Eastern Europe, long-term welfare dependency in the United States, multicultural populations in Western Europe and the failure of environmental policies in the developed world (Kymlicka & Norman, 1994). Different political-cum-philosophical strands of thoughts have dealt with this theory of citizenship.

Liberalism, for example, has developed citizenship through the ideals of individualism and rationality, emphasising representative political systems. These systems theoretically either adopt a civic liberal perspective like Marshall's (1965), or a utilitarian liberal one as the model proposed by Rawls (1993). In contrast to civic republicanism, there is no requirement or obligation to vote or to regard the political community as the most precious entity or to give it the highest loyalty, citizens are also not required to cultivate a range of demanding civic virtues. Hence theorists like Oldfield (1990), Habermas (1992) and Miller (2000) share the perspective of *civic republicanism* that stresses individual obligation of participation, promotion of active and deliberative forms of democracy, with an emphasis on citizenship as a common civil identity shaped by a common public culture. Another strand of thought is *communitarianism*, which

regards the community as a sphere of identity production and sharing, with a socially embedded citizen as a political subject (Sandel, 1982).

Leftist thought has also contributed to theories on citizenship through the idea of participatory democracy. For the leftists, the answer to the problem of citizen's passivity lies in empowering citizens by the democratisation of the welfare state and dispersion of state power through local democratic institutions, regional assemblies and the judiciary (Kymlicka & Norman, 1994). A final school of thought in this abridged summary would be *civil society theorists*, who emphasiase the necessity of civility and self-restraint to a healthy democracy. It should be noted that, in this last case, the notions of civility and self-restraint are not entirely conceptualised, for the operationalisation of civility can be an almost impossible task due to different conceptions of what civil connotes. Such theories further assume that neither the market nor political participation is sufficient to teach these virtues. Instead, the stress is directed towards voluntary organisations of civil society. Walzer (1992), a proponent of this group, holds:

> that most people are trapped in one or another subordinate relationship, where the civility they learned was deferential rather than independent and active, and hence the reconstruction of the associational network under new conditions of freedom and equality is imperative (p.107).

The result should ideally be the dispersion of 'civic culture', which is defined by Almond & Verba (1989) as "a political culture in which large numbers of individuals are competent as citizens" (p.169).

Arising from the foregoing, the robust literature on citizenship suggests that arriving at a single definition is impossible. The definitions of citizenship vary according to the strand of thought from which they emanate. However, the paper observes that the common criteria forming the essence of the concept of citizenship run through these views, which include:

1. As a *status* "of people who are unable to discern the common good but who nevertheless possess an uncanny ability to elect people who will find it for them" (Alejandro, 1998, p. 9).

2. As a *right* evident from liberal theories of the democratic rights of participation in decision making. This translates as positive freedom in Berlin's (1959) terms.

3. As *agency* embedded in social relations when citizenship is viewed as rights enabling people to act as agents with conscious capacities (Lister, 1998). According to Almond & Verba (1989),

what differentiates citizens from subjects is their active participation in "the political input process–the process by which political decisions are made" (Almond & Verba, 1989, p.117).

4. As a *legal contract* embodied in legal documents of identity which is according to the traditional and legal definition of citizenship as equalling nationality.

5. As a *practice of civic virtue.* Republican theory sees citizenship as a practice of political rights through participation in the wider political community. This comes from the origin of the concept as implying "emancipation from the realm of necessity, associated with the private sphere of the household (*oikos*) into the realm of freedom associated with the public sphere of political life (*polis*)" (Kabeer, 2002, p.3). Liberal virtue theory, as put forward by theorists such as Gutman, Macedo and Galston, divides civic virtues into four categories: general virtues like courage, law-abidingness and loyalty; social virtues like independence and open-mindedness; economic virtues like work ethic; and political virtues like the capacity to discern and respect the rights of others, willingness to demand only what can be paid for, ability to evaluate the performance of those in office, and willingness to engage in public discourses. These two last virtues (the ability to question authority and the willingness to engage in public debates) represent the most salient components of liberal virtue theory (Kymlicka & Norman, 1994, p. 365).

6. As *belonging* and *inclusion.* Anchoring the principle of inclusion necessitates defining citizenship as a balance of three aspects: deliberation, number and power (Alejandro, 1998). The equality perspective deals with citizenship as, first, a guarantee of society-wide participation by institutional incentives meaning that the poor are paid to participate, and the rich are fined if they shun them (making citizenship an exercise in mutual vigilance). Second, the balance in numbers refers to institutional devices insuring freedom from domination by the largest group), while the final balance is given by the principle of the separation of powers. Gender inequality, for instance, is another impellent to the realisation of the shortcomings of traditional conceptualisations of citizenship. This leads to a huge debate on inclusion and exclusion (Benhabib, 1996; Yuval-Davis, 1997; Mouffe, 1992; Kabeer 2002).

7. As a *relation*: instead of regarding citizenship as a right, its exercise as a relation between social categories and their stance from authorities is emphasized (Heller, 2000, p. 489).

8. About *feeling at home* in the nation: "It is the capacity to see the nation as a repository of your own history and culture" (Mehta, 2006, p. 21).

9. As a sense of *self-respect* coming in part from a sense that one's culture is respected and can find unapologetic public expression (Mehta, 2006).

This last definition is inherently linked to the inclusion of the role of culture in political theory. Theorising on cultural citizenship, as first termed by Miller (2002), is always linked to the vivid presence of cultural subjects in the public sphere. Ideally, there should be a guaranteed set of cultural competences that the government should give to its citizenry and especially to the minorities. Producing cultural subjects, as Rousseau (1762/1975) argues, emanates from civic education that elaborates the definition of a good citizen. In Miller's words,

> …cultural policy always implies the management of populations through suggested behaviour. It is a normalising power that sets an ideal for the subject which can never quite be attained, yet enjoins that subject to strive for it via a doctrine of ethical incompleteness. (Mille, 2002: 238).

Before this inclusion of culture, citizenship theories have long celebrated Marshall's (1965) elaboration of the development of citizenship rights from the civil to the political and eventually to the social. As this theorisation is to a large extent ethnocentric and largely applicable to the European, especially to the British society in which it evolved (Turner, 1992), modified definitions of citizenship that included the aspect of class and hence economic rights, identity politics and thus cultural rights and gender have been introduced. Turner's sociological definition of citizenship looks at citizenship as (a) A bundle of practices which are social, legal, political and cultural; (b) which constitute rather than merely define the citizen; (c) which overtime become institutionalised as normative social arrangements; and (d) which determine membership of a community.

Citizenship is the new fellowship (*Genossenschaft*) of the modern state. (Turner, 1994, p.159) Two general normative interpretations of citizenship exist: as an organisational rule (a set of procedures and individual rights by means of which mediation, deliberation and political will can be constructed by citizens); and as a content (a set of substantial values, incarnated in institutions that individuals are supposed to promote by their political behaviour and practices (Gianni, 1998, p.39). The diversity of modern societies led to another stream of theorisation of 'differentiated citizenship', a term which was first formulated by Young (1990), to contrast liberals and communitarians in asserting the particularities of group identities. This is a theory that stands in contrast to equal citizenship, arising when, for example, some citizens' mother

language is not the official language, and thus they suffer from a predicament of deliberation with fellow citizens, and consequently from a state of marginalization and discrimination (Bhargava, 2005). In Gianni's (1998) words:

> First, it aims to improve the material and objective opportunities of the members of groups that have suffered discrimination; secondly it entails a symbolic recognition of stigmatized or presumed abnormal cultural differences, thus providing them political respect and visibility; finally it reinforces, through democratic integration, the legitimacy of representative democracy (pp. 49-50).

Islam and Citizenship

One of the general attributes of Islam is its claim to universality and the assertion that its standards of equality transcend the particularities of tribe and nation. This is because of Islam's outright rejection of all racial, ethnic and hereditary principles of distinction, which constitute the foundations of nationalism.

It is believed that the Qur'ān might have left the subject of citizenship undefined, but the position of man himself, in his pre-social state, is emphasised in the Qur'ān as God's "vicegerent on the earth" (Q 2:30) (Kamali, 2009). The following Qur'ānic verse is often quoted in support for the effect that religion and domicile are the basic requirements of citizenship:

> Surely those who believed and fled (their homes) and struggled hard in God's way with their wealth and their lives, and those who gave shelter and helped – these are friends of one another. And those who believed but did not migrate, you are not responsible for their protection (*wilāyah*) until they migrate. (Q 8:72)

The reference to protection in this verse has been a matter of serious debates among the *mufassirūn* (Qur'ānic exegetes). The basic meaning of the text appears to be clear, and the reference is, of course, to the Migrants and Helpers, *Muhājirūn* and *Anṣār*. The migrants were the early believers, who were persecuted, fled their homes and then formed a community in Madīnah alongside those who gave them shelter and helped them (the *Anṣār*). But there were some, who chose to remain in their homes and did not migrate to Madīnah.

The nascent community in Madīnah, however, could not undertake to protect the interests of such persons, and this is what is meant by "you are not responsible for their protection". The Prophet-cum-head of state himself did not insist on embracing Islam as a precondition of citizenship. The Constitution of Madīnah (622 CE) acknowledged and declared the Jews of

Madīnah to be part of the *ummah* that the Prophet (SAAS) organised immediately after his migration to the City. Moreover, Nawaf (1997) contends that there is nowhere a requirement in the sources of *Sharī'ah* to say that a non-Muslim resident, the *dhimmī*, must become a Muslim first before he or she can become a citizen of an Islamic state.

It is noteworthy to state that Muslim writers have generally considered nationalism and the nation-state to be inimical to Muslim unity and disagreeable with Islam. Yet there are also views that maintain no inherent conflict between Islam and nationalism *per se*. While the basic notion of citizenship is not alien to Islam, argues Kamali (2009) and Partington (1996), some of the ultra-nationalistic articulations of citizenship are less than compatible with the basic tenets of Islam on equality and justice. The topic of citizenship has remained so underdeveloped in the juristic writings of *fiqh* that one can hardly speak of a clearly defined concept of citizenship in Islamic Law. In the light of the absence of subject-specific literature on citizenship in the *fiqh* sources, writers have tended to subsume citizenship under *dār al-Islām* (Abode of Peace or Islamic State) and thereby identify the citizen with the member of the Muslim community. Anyone who resides in *dār al-Islām* is a citizen and anyone who resides in *dār al-ḥarb* is an alien, unless he migrates to *dār al-Islām* and resides in its territory (al-Nabhanī, 1964).

The majority of Qur'ānic exegetes subscribe to the view that citizenship is not recognised in the *Sharī'ah*. The theme of citizenship concern does not feature in the writings of Muslim jurists of earlier times. Only during the early decades of the twentieth century, did Arab writers and jurists begin to address the matter, and even in these writings, it is not often that one can find an in-depth or exclusive treatment of the subject. Generally, the view taken is that anyone who embraces the faith and takes up domicile in *dār al-Islām* is a citizen of the Islamic state. The Islamic equivalent of citizenship can be dated back to the renowned Constitution of Madīnah (622 CE). This document, the earliest of its kind, laid down the foundation for a new community (*ummah*) and the City-State. The native individuals and tribes of the City and the newly arrived migrants (i.e., the *Muhājirūn*) were granted protection as well as a set of rights and duties toward one another and the nascent city state of Madīnah.

The classical Islamic view, according to Nawaf (1997) and Kamali (2009), is that a member of the Muslim community in the Qur'ānic scheme acquires his identity as a Muslim and member of the *ummah*, both being bound to observe the *Sharī'ah* and adhere to the same sets of legal norms. This paper, however, has not taken this view. This is due mainly to historical

changes including, for example, the disintegration of the *ummah* as a political unity, which was occasioned by the abolition of the Ottoman Caliphate in 1924 by the father of modern Turkey, Mustafa Kemal. It is the contention of this paper also that it seems unrealistic, even unfeasible, to us, to premise an understanding of a modern concept of Islamic citizenship on a framework that no longer exists. The nation-state has become an inescapable reality, and what obtains now is a multiplicity of some fifty-six Muslim majority nation-states that neither are politically integrated nor maintain levels of cooperation one could say were strong enough to sustain the notion of a common citizenship for all of their inhabitants (Kamali, 2009).

The historical unity of the Muslim community within the rubric of *ummah* now stands in contrast with its division into a multiplicity of nation-states that find their origin neither in Islam nor in *ummah* but in the Western political and philosophical thought of the eighteenth and nineteenth centuries. In the past, Kamali (2009) observes, the historical division of the world into the House of Islam (*dār al-Islām*) and the House of War (*dār al-ḥarb*), and the somewhat less than egalitarian treatment that was visited on the *dhimmīs* (non-Muslim residents in Muslim lands), reflected the political and military superiority of Muslim powers. The rules of *fiqh* have not escaped this entirely. A review of some of the provisions in the rules of *fiqh* in the light of the sources has, therefore, become expedient. The nation-state, which is the principal unit of political organisation in the Muslim world, is also taken as a basic framework of analysis. It might be justified, perhaps, to see the nation-state as a manifestation of the Qur'ānic declaration "… We have made you into tribes and nations so that you may know one another. The most honoured of you in the eyes of God is the most righteous of you" (Q 49:13).

The extent to which the rights of citizens are adequately protected in Islamic Law is a subject of some debates, especially with reference to the non-Muslim citizens of an Islamic state. Islam clearly recognises Christianity and Judaism as true religions, yet embracing the faith of Islam has been treated by writers such as Maudūdī as an overriding factor in determining the legal framework of citizenship. This submission appears erroneous because the Qur'an recognises the validity of other great religions (Q2:135) and advocates freedom of religion as a basic right of their followers (Q22:56). There remains no basis, then, for the assumption that a non-Muslim cannot be a full citizen. To embrace Islam might still qualify a person for citizenship, but not in the exclusive sense, perhaps, of disqualifying a non-Muslim. The latter might also qualify on other grounds such as naturalisation and domicile. The *Sharī'ah*, according

to Kamali (2009) and Qarḍāwī (n.d.), entitles every human being to justice and the protection of a number of basic rights and liberties without any discrimination. Since the rules of *fiqh* were developed mainly by the leading jurists of the scholastic period, these works, it could be argued, were influenced by the prevailing conditions of that time. Some of the rules that were formulated tended to be discriminatory in regard to the integration of the *dhimmīs*, but present-day scholars, in light of current realities in the Muslim world, follow a different course.

States and governments in the Muslim societies of today are no longer fashioned, as they used to be, on the basis only of religion. The era of democracy and constitutionalism has placed a fresh emphasis on the basic rights and liberties of the citizen. These changes have, in turn, been reflected in the works of Muslim jurists of the twentieth century. Many advocates re-reading the rights and duties of citizens, Muslim and non-Muslim as well as de-constructing and reconstructing them more in keeping with the higher objectives of equality and justice, as espoused in the Qur'ān and *Sunnah*.

Consequently, citizenship defines some of the most critical aspects of the relationship between the individual and the state. Citizenship under contemporary law is established on the basis of blood ties and/or place of birth. Naturalisation is also recognised as a basis on which citizenship is acquired. Modern citizenship has aimed at eliminating all forms of hereditary or group privileges and requires that all citizens be equal before the law. Suffice to state that references to *ummah* and *qawm* also occur in the Qur'ān, referring to groups to which an individual might have a sense of belonging and attachment. In a passage where the text allowed the early Muslim community of Madīnah to wage war in the cause of God and against oppression, a reference is also made to homeland and family: 'How could we refuse to fight in the cause of God, seeing that we were turned out of our homeland (*min diyārinā*) and our families' (Q 2:246). Elsewhere, the text refers again to these factors and on this occasion enjoins justice and fair treatment for those who "never fought you over religion nor evicted you from your homes (*diyārikum*)" (Q60:8).

The Qur'an also addresses the Prophet Muhammad (SAAS) in the following terms: "Remember (when) Ibrahim said: O my Lord: make this city (*balad*) one of peace with security." (Q2:126). The idea of belonging to a place highlighted by a sense of affinity with its landscape, fruits and safety is also depicted in the following verse: "By the fig, and the olive, and the mount of Sinai, and this city of security" (Q 95:1-3). The sense of attachment to one's *balad* is further

accentuated when this becomes the object of a divine oath taking in a verse addressed to the Prophet Muhammad (SAAS), in a chapter, which also bears the name "*al-Balad*": 'I do call to witness this city, and you are a freeman of this city, and the (magical) ties of parent and child' *(Q 90:1-3)*. The parent-child bond is clearly read into the notion of *balad*, the homeland, and the freedom, which is also enjoyed as a result of belonging to it.

In the light of this reference, this chapter is also known to be a *Makkan sūrah*, as this was the place where the Prophet (SAAS) and his parents resided. The Prophet (SAAS) himself went on record to express his love for his birthplace Makkah, when he was compelled to leave it. Ibn 'Abbas reports in this connection that grief had overcome the Prophet when on his way to Madīnah; he paused for a moment at Hazwara near the marketplace of Makkah and said: 'By God! You are the best of all places in the eyes of God and most beloved on the face of the earth to me. Had it not been for the fact that your inhabitants evicted me, I would not have left you' (Ibn Majjah, 1981). According to Kamali (2009), scholars have drawn the conclusion that the forced eviction of Muslims from their homeland was the basic cause of the Qur'ānic validation of armed struggle. This was not allowed during the first twelve years of the Prophet's (SAAS) missionary activities in Makkah, peaceful co-existence dominated his message. Only when the Muslims were subjected to persecution and thrown out of their homeland were they allowed to resort to *Jihād*.

Islam and Citizens' Social Responsibilities

Social responsibility is an ethical framework which suggests that an entity, be it a nation-state, community, an organisation or individual, has an obligation to act for the benefit of society at large. Social responsibility is a duty every individual has to perform so as to maintain a balance between himself and the society. A critique of the sources of Islam and in the light of the contemporary realities, indicate that some responsibilities/duties have been spelt out for an Islamic citizen. These responsibilities are predicated on the popular maxim that 'for every right there is a corresponding duty'. A citizen in an Islamic society is under an obligation to fulfill these responsibilities as some rights have been granted to him. These duties include:

1. Obedience (*Ṭā'ā*)

Obedience to the lawful government and *ūlu-l-amr* is a Qur'ānic duty (Q 4:59) and a religious obligation which is primarily addressed to the believers. The analogy that is drawn between Muslims and non-Muslims in respect of obedience to the government remains valid to this day and is in harmony with the constitutional norm of equality that is now generally upheld under the constitutions and laws of Muslim countries. The *Imām* and the *ūlu-l-amr*, who are elected by universal franchise and the *bay'a* of the citizens, both Muslims and non-Muslims, are consequently entitled to the citizens' obedience (Muhammad, 1965).

The basic evidences of the Qur'an on obedience include (Q2:285; 3:32, 132; 4:59, 64, 66; 5:92; 8:1, 20; 46:24-54, etc.), while those of the *Sunnah* include 'the government is the helper of one, who has no guardian' (Abū Dāwūd, 1995), 'a Muslim is duty-bond to listen and obey (a leader) in what he likes and dislikes unless he is commanded to commit transgression; when he is so commanded, he is not required to listen and obey' (Al-Bukhārī, 1979), etc. The implications of these verses include the fact that

(a) Being a duty of the citizen, obedience is expected in all lawful matters. This is understood that obedience to the leader regardless of one's personal inclination, liking or disliking of the one to whom it is directed. The only qualification to be noted is that the person in question must be in possession of his faculties and there be no lawful impediment to exonerate him from the duty of obedience;

(b) When the government issues a law or command which would amount to a clear violation or sin under the *Sharī'ah*, the citizen is not under a duty to obey it. The violation in question must, however, be self-evident and certain and not a result of interpretation or juristic *ijtihād*; and

(c) If the government sets itself openly and deliberately against the clear text of the Qur'an; commits a flagrant transgression, it becomes guilty of infidelity, whereupon it loses the right to rule and may be deposed by all those who pledged allegiance to it; and

(d) In situations other than a clear declaration of unbelief (*kufr*) and renunciation of Islam, defiance of lawful authority must never be brought about by armed rebellion on the part of a minority within the community. For the Prophet has warned: ("He who raises arms against us ceases to be one of us") (Muslim, n.d.). Another ḥadīth conveying the same message has it: "He who unleashes his sword against us ceases to be one of us." Both of these ḥadīths are concerned with rebels and mutineers who challenge the authority of the lawful government without a valid

cause. It may be noted in passing, however, that no such clear case of deposition of the ruler on grounds of *kufr* has been recorded in the history of Islamic government, although failed attempts at mutiny and rebellion, linked with charges of transgression and even *kufr* against government have been frequently encountered.

2. **Assistance** *(Naṣrah)*

The citizen's duty to assist the lawful government is not altogether a formal requirement but one that is inspired by loyalty and affection on the part of the populace. This is also, to a large extent, a matter of propriety and uprightness of leadership and its dedication to the service of the community. Since the citizen pledges *bayʿa* to an elected ruler, he or she (the citizen) is under the duty to assist and support him the elected leader) to the best of his or her (the citizen's) ability. This may take a variety of forms depending on the role that a citizen can play and the extent to which he or she can assist the leaders. Civil servants and members of the army, or indeed those, who are involved in development and welfare activities and enforcement, could all be able to assist the leaders in their own capacities.

Muslim jurists have particularly emphasized two perspectives in relationship to *naṣrah*. One of them is sincere advice, which the citizen should generously give, as a matter of his or her own initiative, in all matters that promote peace, affection, cooperation and good works for the benefit of the people. *Naṣrah* should be given in the most elegant and tactful manner. Basic authority for assistance (*naṣrah*) is located in the Qur'an, where the text enjoins cooperation in good and beneficial works (Q 5:2). Although the Qur'ānic text on mutual cooperation applies to the ruler-and-ruled relationship, in the words of Kamali (2009), it is not confined to this context, as cooperation in good works is also required at all levels between the believers and indeed all citizens, within and outside the framework of government. The Constitution of Madīnah could be said to be the earliest authority on this. The Prophet (SAAS) admitted the Jews as full citizens of Madīnah and gave them entitlements to assistance and protection, just as they were required also to contribute to the expenditure incurred for defence by the state of Madīnah. All the signatories of this document were required to assist the government and one another in pursuit of the stated objectives of defending Madīnah against outside aggression and to help with administering justice among its citizens.

One aspect of cooperation that Islam specifies within the community is in the context of neighbourliness (*jiwār*), which is emphasized in the Qur'an and *Sunnah*. Much instructions in

these sources on neighbourhood rights exist, which could be partly understood through the reading of the early history of Islam, especially in conjunction with the migration of the Prophet (SAAS) and his Companions to Madīnah. Those who came from Makkah to Madīnah, took up residence in Madīnah basically as guests and neighbours of the Madīnan Muslims, the *Anṣār* (helpers). Later, the Prophet (SAAS) added a new dimension to this by establishing the covenant of fraternity between the Migrants and Helpers. Suffice to mention one ḥadīth on the subject: "Whoever believes in God and the Last Day, let him not annoy his neighbour; whoever believes in God and the Last Day, let him say something good or else remain silent; whoever believes in God and the Last Day, let him honour his guest" (Sodiq, 2011). The relationship of *jiwār* went beyond the barriers of religion, especially with reference to the Muslims and Jews of Madīnah. It is equally reported that when a servant of the renowned Companion Ibn 'Abbas slaughtered a sheep, Ibn 'Abbas told him to give some of the meat to their Jewish neighbour. Ibn 'Abbas is believed to have repeated this more than once until the servant turned around and said to Ibn 'Abbas that he had said it several times, to which Ibn 'Abbas replied that this was due to the fact that the Prophet (SAAS) himself had emphasised the neighbour's rights so much that ("we thought it was as if he was going to make him into an heir" (Sodiq, 2011).

The next context in which assistance is required is participation in *isbah*, (promotion of good and prevention of evil). This is a broad Qur'ānic principle which, in its general outline and purpose, can relate to a variety of themes. What needs to be specified here perhaps is that *isbah* requires the citizen to be vigilant and alert in promoting beneficial objectives, peace and justice in the community The citizen is thus required to prevent, as far as he or she can, evil conduct, hostility and oppression wherever he or she sees it and whenever he or she is convinced that a certain initiative on his or her part, whether in words or in action, can prevent an imminent evil. When the citizen has taken that initiative and acted or spoken in support of a good cause, he has fulfilled his civic and religious duty of giving assistance to the lawful government. By the same token, the citizen is under an obligation to promote loyalty and affection toward the government and alert the latter of any immediate threat, attack, or act of treason that he or she might know about. Apart from the many Qur'ānic verses and *ḥadīths* on *isbah*, the essence of *naṣrah* is also conveyed in the following *ḥadīth*:

> Every one of you is like a shepherd and every one of you is responsible for what is under his custody. The leader is a custodian and he is responsible for his subject, and a man is responsible for

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his family and what is in his custody, and every (married) woman is responsible for her husband's household and what is under her custody.

3. **Recognizing the Rights of Neighbours (*al-ḥuqūq al-Jāriyyah*)**

One of the manifestations of social responsibility in Islam is the consideration that is given to the rights of neighbours. Islam places great stress on being kind to neighbours and maintaining good relations with them. It also emphasises that one should try to help one's neighbours and be careful not to abuse them in any way. The Qur'an says: "…and do good to parents, kinsfolk, orphans, the poor, the neighbor, who is near of kin, the neighbour who is a stranger…" (Q4:36). The Prophet Muhammad (SAAS), underscoring the significance of this, is reported to have said: "Whoever believes in Allah and the Last Day should honour his neighbour." He (SAAS) is believed to have remarked that: "By Allah, he does not believe. By Allah, he does not believe." He was asked whom he was talking about. He said: "He whose neighbour is not safe from his abuse".

In furtherance of this, the Prophet (SAAS), defining the neighbour's rights maintains thus:

> If he falls ill, visit him. If he has good fortune, congratulate him. If ill fortune befalls him, console him. Do not build your building in a way that would keep the breeze from reaching his dwelling except with his permission. Do not annoy him with the aroma of your cooking pot unless you serve him some of your food. If you buy some fruit, them give him a gift from it, and if you do not do so, then bring it into your home discreetly, and do not let your child take it outside to taunt his child with it.

Neighbours, whether Muslims or non-Muslims, in Islam, are therefore entitled to the same rights and have the same obligations towards one another. This is especially relevant to the present-day context, where Muslims often find themselves living in pluralistic or heterogeneous societies side by side with people from other faiths and cultures, both as fellow citizens and as neighbours. Although the concept of neighbourliness is especially meaningful among fellow citizens, it is of wider application in that a neighbour may not even be a citizen, yet he or she is entitled to the same special treatment that Islam has required for all neighbours (Kamali, 2009).

4. Economic Obligations of Muslim Citizens (*al-ḥuqūq al-Iqtiṣādiyyah*)

Islam has charged the individual with a number of measures, some of which are compulsory while others are voluntary. The following are among the compulsory measures that the individual is charged with:

The *Zakāh* Tax: This is among the most important duties/obligations of citizens in an Islamic community. The Almighty God has made it a religious obligation upon the Muslims, and has further empowered the state to collect it forcibly if necessary. The importance of *Zakāh* comes from its general application to most of the population and from the quantity of the general wealth that it represents (2.5%) of a rich man's property. This is a sufficient quantity of wealth, if when managed properly, would solve the majority of society's socio-economic problems that stem from poverty. For this reason, it is a very effective means of upholding social responsibility. This is above and beyond its mere abstract effects, because it prevents the class hatred that always develops in society when there are 'haves', who are ambivalent to the needs of others and 'have-nots', who are deprived and neglected.

Expiations (*Kaffārah*): These are the measures required by Islam to atone for prohibited acts committed by a Muslim or to compensate for obligatory acts that have been neglected. There are many types of expiations, among them being the expiation for breaking an oath taken in Allah's name and the expiation for intentionally breaking an obligatory fast in the month of Ramaḍān without a legitimate excuse. Most times, these expiations entail feeding a number of poor people, making them a means of assuring social responsibility. The Qur'ān says of this thus:

> Allah will not take you to task you for what is unintentional in your oaths, but he will take you to task for your deliberate oaths. For their expiation, feed ten poor people in the manner that you would feed your own family, or clothe them, or manumit a slave. But whoever cannot afford that must fast for three days. That is the expiation for oaths when you have sworn.

'Id Dues (Festive Charity): Citizens are duty-bound in Islamic society to give charity to the underprivileged on the occasions of the two Islamic festivals signifying the termination of the fasting month of Ramaḍān (*'Idul-fitr*) and the sacrifice of animal (*'Idul Adhā*). The former is incumbent on every Muslim, slave or freeborn, male or female, young or old according to the majority of jurists. It follows, therefore, that it is the duty of every Muslim to pay *zakat ul fitr* for himself, wife (or wives), children born before the festive prayer is observed and for even his

servant. The Prophet also orders that this must be food items (Khan, n.d). According to Ambali (2006), food crops recognized by *Fiqh* for *zakatul fitr* are those out of which *zakatul harth* (Islamic tax on crops) is due. These are staple type that men cultivate, dry and preserve. They include wheat, barly, millet, rice, lentis, chich peas, broad beans, grass peas and San'ai wheat.

5. **Safeguarding Natural Resources (*Taḥsīn al-Mawārid Aṭ-Ṭabi'īyyah*):**

This entails assuring the proper utilization of the country's natural environment, including the mineral resources of the land and sea as well as all other forms of wealth that Allah has placed in the Earth. Islam contends that Allah has made humanity responsible for these resources and has given mankind the power to turn such resources to his benefit in order for society to realize the highest standard of living possible for all of its members, not just for a select few. If only every individual and nation would fulfil its duty in this regard and distribute the benefits of these resources in a just manner–by providing general services and opportunities for work-then the world's societies would surely enjoy phenomenal growth and development.

Justifying this position, the Qur'ān and *Sunnah* are replete with injunctions emphasising the indispensability of protection/safeguarding of the natural resources. Prophet Muhammad (SAAS) is reported to have said, "Whosoever brings dead land to life, for him is a reward in it, and whatever any creature seeking food eats of it shall be reckoned as charity from him". In another occasion he says,

> There is no Muslim who plants a tree or sows a field for a human, bird, or animal eats from it, but it shall be reckoned as charity from him", and, "If anyone plants a tree, no human nor any of the creatures of Allah will eat from it without it being reckoned as charity from him.

6. **The Duty of the Citizen towards Lord and Creator:**

The primary duty of citizens in an Islamic society in showing gratitude to Allah is the dedication of servitude to Him and desisting from associating anything with his divinity and Lordship. The Qur'an states thus: "Say: truly, my prayer and my service of sacrifice, my life and my death, are (all) for God, the Cherisher of the worlds" (Q). Dedication of servitude to God and not associating anything with Him inspires the highest degrees of the sense of freedom and equality in the human soul, and establishes two basic rights in life for the human being, namely: (a) the right of emancipation from servitude and humility to other than God, the most high; and (b) the right of equality with all men.

7. The Duty of the Citizen towards Family

In Islam, the family is one of the most important institutions of the civil society. In fact, it is the solid foundation and the source of security and stability of the civil society. Before any other institution, it is charged with shaping up responsible generations capable of securing the safety of the society, and realising its aspirations towards justice, security, growth and progress. As such, Islam shows special and distinct concern towards the family as a foundation, and consolidates its lofty mission in life. Islam has laid much emphasis on the sanctity of the legal links between male and female married couples, as well as on the sanctity of their responsibility in bringing up a believing and responsible generation. The Prophet (SAAS) maintains in a narration that:

> You are all caretakers and every caretaker is responsible for his subjects. The *Imām* (spiritual leader) is a caretaker, and he is accountable for his subjects, and the man within his family is a caretaker, and is accountable for his subjects, and the woman is a caretaker within her family, and is accountable for her subjects, and the servant is a caretaker, and is accountable for his deeds.

In the light of this, it is the responsibility of Muslim citizen to ensure the survival of Islamic family institution. This clearly emphasises the complimentary nature of responsibility in the society, especially within the family, the fundamental structure of the society. The responsibilities of the male and female married couple complement each other according to the will of God as a basis of the integration of their responsibility into the other institutions of the society, each according to his jurisdiction, competence and skill. The female however, has been exempted and relieved from certain burdens and responsibilities, and given certain privileges in appreciation of and respect for the tasks her Lord has assigned her such as pregnancy and its burden, delivery and its perils, lactation and its responsibilities, motherhood and taking care of children etc.

8. The Duty of the Citizen towards Parents:

Islam has the highest regard for the obedience of parents, and has even likened it to obedience to God. The Qur'an reads that "Thy Lord hath decreed that ye worship none but Him, and that ye be kind to parents" (Q17:23-24). Even when they happen to strive to persuade him to associate something else with God, he has to show kindness to them in this world. It is, therefore the responsibility of the citizens-children to cater for their parents.

Conclusion

This paper takes a cursory look at the Islamic concepts of citizenship and social responsibilities. It employs two approaches-Western and Islamic. The robust Western literature on citizenship indicates that arriving at a single definition is impossible. Definitions of citizenship vary according to strands of thoughts from which they emanate. However, the paper observes, after reviewing works on citizenship, the common criteria forming the essence of the concept of citizenship: as a *status* "of people who are unable to discern the common good but who nevertheless possess an uncanny ability to elect people who will find it for them" (Alejandro, 1998, p. 9); as a *right* evident from liberal theories of the democratic rights of participation in decision making. This translates as positive freedom in Berlin's (1959) terms, among others. Meanwhile, the paper further establishes that Muslim writers have generally considered nationalism and the nation-state to be inimical to Muslim unity and disagreeable with Islam. Of equal note also is the view that no inherent conflict between Islam and nationalism exists. While the basic notion of citizenship is not alien to Islam, some of the ultra-nationalistic articulations of citizenship are less than compatible with the basic tenets of Islam. The paper concludes that notwithstanding the theoretical and conceptual differences between the position of the West on citizenship and Islam, it appears that the objective of the duo is to ensure the sustainability of the social institutions.

References

Abū Dāwūd (1995). *Sunam Abū Dāwūd*. Damascus: Dār al-Ulūm al-Insāniyyah.

Al-Bukhārī, M.I. (1979). *Ṣaḥīḥ al-Bukhārī*. Damascus: Dār al-Ulūm al-Insāniyyah.

Alejandro, R. (1998). "Impossible citizenship", In Denham, K. S. (Ed.), *Citizenship after liberalism*. New York: Peter Lang, pp. 9-32.

'Alī, A.Y. (1989). *The meaning of the holy Qur'ān*. Maryland: Amana Publications.

Almond, G. A., & Verba, S. (1989). *The civic culture: Political attitudes and democracy in five nations.* London: Sage.

Benhabib, S. (2005). "Borders, boundaries, and citizenship", *Political Science and Politics*, 38(4), 673-77.

Brubaker, R. (1992), *Citizenship and nationhood in France and Germany.* Cambridge: Harvard University Press.

Castles, S. (2005), "Hierarchical citizenship in a world of unequal nation-states", *Political Science and Politics*, 38(4), 689-91.

Dobrowoslsky, A. & Tastsoglou, E. (2006). "Crossing boundaries and making connections", in Dobrowoslsky, A. & Tastsoglou, E. (Eds.), *Women migration and citizenship: Making local, national, and transnational connections*. Aldershot: Ashgate, pp. 1-35.

Gianni, M. (1998). "Taking multiculturalism seriously: Political claims for a differentiated citizenship", In Slawner, K. & Denham, M.E. (Eds.), *Citizenship after liberalism.* New York: Peter Lang, pp. 33-56.

Isin, E.F. (2002). "Citizenship after orientalism", in Isin, E.F. & Turner, B. (Eds.), *Handbook of citizenship studies*. London: Sage pp.117-28.

Janoski, T. & Gran, B. (2002). "Political citizenship: Foundations of rights", in Isin, E.F. & Turner, B. (Eds.), *Handbook of citizenship studies*, London: Sage, pp. 13-52.

Joppke, J. (2007). "Transformation of citizenship: Status, rights and identity", *Citizenship Studies*, 11(1), 37-48.

Kamali, M.H. (2009). "Citizenship: An Islamic perspective", *Journal of Islamic Law and Culture*, 11(2), 121-153.

Kymlicka, W. & Norman, W. (1994). "Return of the citizen: A survey of recent work on citizenship theory", *Ethics,* 104 (2), 352-381.

Mehta, P.B. (2006). "Urdu: between rights and the nation", In Farouqui, A. (Ed.), *Redefining Urdu politics in India*, New Delhi: Oxford University Press, (pp. 13-31).

Miller, T. (2002). "Cultural citizenship", In Isin, E. & Turner, B. (Eds.), *Handbook of Citizenship Studies*. . London: Sage, pp. 231-243.

Nawaf, S. (1997). "The emergence of citizenship in Islamdom," *Arab Law Quaterly*, 12, 125-126.

O'Byrne, D. (2003). *The dimensions of global citizenship: Political identity beyond the nation-state*. London: Frank Cass and Co.

Ong, A. (1999). *Flexible citizenship: The cultural logic of transnationality.* Durham: Duke University Press.

Partington, M. (1993). 'Citizenship and housing' in Blackburn, R. (Ed.), *Rights of citizenship* London: Mansell pp. 124.

Sandel, M. (1982). *Liberalism and the limits of justice*. Cambridge: Cambridge University Press.

Soysal, Y. N. (1994). *Limits of citizenship: migrants and postnational membership in Europe*. Chicago: University of Chicago Press.

Turner, B. (1992). "Outline of a theory of citizenship", in Mouffe, C. (Ed.), *Dimensions of radical democracy: Pluralism, citizenship, community*. New York: Verso. pp. 33-62.

Turner, B. (2006). "Citizenship East and West: Reflections on revolutions and civil society. In Delanty, G. (Ed.), *Europe and Asia beyond East and West*. Oxon: Routledge pp. 148-60.

Walzer, M. (1992). "The civil society argument", in Mouffe, C. (Ed.), *Dimensions of radical democracy: Pluralism, citizenship and community*. London: Verso, pp. 89-107.