

The Rights of Non-Muslims in an Islamic State

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Abstract: *This Article "The Rights of Non-Muslims in an Islamic State" was undertaken, because of the distortions being circulated about Islam. The article is therefore design to deal with certain aspects of Islam which has been forgotten by the non-Muslims and even so-called Muslim rulers and leaders who may be victim of various vices and may impose regulations which go contrary to the Qur'an and the sunnah. The methodology explored for this article was basically philosophical; this means Qur'an and Sunna covered the primary sources, while the secondary sources will be the published materials. An effort will be made here to present these aspects in their true light and clear picture. The purpose therefore, is to find out the truth about these aspects, in a rational way. The article therefore, presented issues like the Character of Islamic state, the constitution of Madina, Classification of non-Muslims, Prophet Advice to his Caliphs about non-Muslims, and the general rights of non-Muslims. And it is in the service of the truth, and for the sake of the honest people among those innocent and misinformed inquirers, that an attempt is made to think and examine the rights of non-Muslims in an Islamic state.*

I. Introduction

The non-Muslims who live in an Islamic state and enjoy all their human rights which are enshrined in the shariah are called Ahlal-Dhimmah or Dhimmis, "The Covenant people". The Dhimmis living in an Islamic state are guaranteed the protection of their lives property and honour exactly like that of Muslims. The rights given to dhimmis are of an irrevocable nature. It became every Muslim's religious duty to protect live property and honour of a non-Muslim since it form a part of parcel of his faith. A. Doi, (1990, p.426.)

After the advent of Islam the Muslims were the first to accord a dignified place to the international law in the shariah. Thus, international law created both rights and obligations and the law became a branch of study as an independent science under it. And it made no discrimination among the foreigners and dealt equitably with the non-Muslim states of the entire world.

The shariah has enshrined in itself the principle of Islamic international law since its inception and as early as 150 years, after the Hijrah, it regulates the conduct and behavior of Islamic state in war, peace and neutrality. The concept of Islamic international law in the shariah regulated not only the conduct of Islamic state with other states, but also relationship of non-Muslim states and individuals living in an Islamic state. A. Doi, (p.421.)

II. Historical conception of the Islamic State

The foundation of modern doctrine of the state, such as Socialism, Communism, and the rest, can be traced to antiquity. The world has witnessed the rise and fall of the great state and Empires - The Egyptian, the Hellenic, the Roman, the Asiatic monarchies and the rest, have all passed away. The existence of our modern civilization is only transient. It is another chapter in the history of man. Ulla, M. A. (1977, p.1.)

On the other hand Hammuda, A. (1978), said, the political life of Islam is based on sound Spiritual and moral foundations, and is guided devine Instructions. The Islamic state is a homogenous. Religious and Political- Institution of Islamic brotherhood, It is a Common wealth of all the Muslims living as one whole under the Control and Guidance of Allah the Supreme Executive, The idea of a universal state inherent in man who is by nature a "political animal" The Hellenic idea of the state is explained by Plato as: "the best state in that which approaches most nearly to the condition of individual." Aristotle declares the state to be the association of clans and villages, while Roman idea of the state view it as the highest product of human virtue, as the nearest approach to the will of God, and he considered the state to be the people organized and that the will of the people was the source of law. Muhammad, A. (p,177, p,1.).

Furthermore, the political system of Islam as explained by Hammuda, A. (1978), is unique in its structure, its function, and its purpose. It is not pragmatic or instrumentalist. It is not theocracy whereby a certain class of people assumes divine rights, hereditary or otherwise, and poses, above other citizens, beyond

accountability. Nor is it a proletariat where by some revengeful labourers capture power. It is not even. Democracy in its popular sense. It is something different from all that. To appreciate the political outlook of Islam one has only to know that it is based on the following principles:

1. That Sovereignty in the Islamic state, does not belong to the ruler nor even to the people themselves. It belongs to Allah "Almighty" and the people as a whole exercise it by trust from Him to enforce His law and enact his will. The people serve them according to the law of Allah (SWT). This is the foundation of Islamic state and is only consistent with the general outlook of Islam on the Universe of which Allah is the creator and in which He is the sole Sovereign.

2. The aim of the Islamic state is to administer justice and provide security and protection for all citizens, regardless of colour or race or creed, in conformity with the stipulations of Allah (SWT) in His constitution, the Qur'an, The question of religious or racial minorities does not arise so long as they are law abiding and peaceful Citizens. Another important concept of Islamic political system is that of being elastic in giving room for individual ideas, it is this characteristic which enabled the Muslim thinkers to develop their opinions into theories. Consequently, the different approach to political theories resulted in the development of political schools of "Thought to which a number of thinkers belong. Thus the caliphate was looked at differently by the various schools, and each of the major schools: theological, juridical - political, moral - political, philosophical, constitutional, interpreted or maintained its own position concerning the caliphate system.

Abdul Musa, (1976, p.129), Said: In order to have clear fact and meaning of historical conception of the Islamic state, we must refer to some policies formulated by the prophet Muhammad, (PBUH), during his life time. Prophet Muhammad (S.A.W) had been at one and the same time head of the state and head of the mosque. The paramount control of political policy was in his hands. He' received the ambassadors who brought' the submission of the various Arab tribes, and he appointed officers to collect dues and taxes. He exercised supreme authority in military matters and the dispatch of Military expeditions. He was at the same time supreme legislator, and not only did he promulgate legal statutes, he also sat in judgment to decide cases; and against his decision there was no appeal. In addition to the performance of these offices of the administrative and political order as rulers, general and judge, he was also revered as the inspired prophet of God. At the same time he performed the highest ecclesiastical functions, and as "Imam", he led prayers in public worship at the canonical hours in the mosque of Madina.

The idea of hereditary kingship or of divine consecration was Unknown to the first followers of Islam. Among the ancient Arabs the chief of the tribes owed his authority to general election, and he could also be deposed at the will of the people.

III. Character of the Islamic State

An unpublished lecture, by professor I. Yero, of former university of Jos, Nigeria, had expressed that; here we shall first look at the origin of the caliphate and its significance. Caliphate is the English rendition of the Arabic word, "Khilafah" and Khilafah is one of the public institutions of Islam. It is a term that refers to the state or Government in Islam, AI - Khilafah is the mother of all other institutions without which all other institution loose their ground and support. He further stressed that; Internally, AI-khilafah's justification is the enforcement of shariah whose comprehensive individual and institutional application constitute the first means for bringing about justice. Externally, AI-Khitafah is responsible for the well-being and security of the Ummah, for calling humanity to Allah, and to submission to His will, and for establishing the new world order of peace and justice on earth, All this purposes flow from the essence of the religious experience in Islam, The Glorious Qur'an has clearly pointed out the origin and institution of Khalifah. here under are some examples: The Holy Qur'an say's,

وَلَقَدْ كَتَبْنَا فِي الزَّبُورِ مِنْ بَعْدِ الذِّكْرِ أَنَّ الْأَرْضَ يَرِثُهَا عِبَادِيَ الصَّالِحُونَ

a. "And Indeed we have written in Zabur (all the revealed Holy Books) The Taurat (Torah) The Injeel (Gospel) The Qur'an, after" (we have already written in) AI - Lau Mahfuz (that is in the Heaven with Allah) that" my righteous slaves shall inherit the land" (Q, Chap: 21, Vs, 104,)

b. In another verse it says:

... وَإِذْ قَالَ رَبُّكَ لِلْمَلَائِكَةِ إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً قَالُوا...

Behold thy Lord said to angles, I will create a vicegerent On the earth" (Q, Chap: 2, Vs, 30)

c. In another verse it says:

وَهُوَ الَّذِي جَعَلَكُمْ خَلَائِفَ الْأَرْضِ وَرَفَعَ بَعْضَكُمْ فَوْقَ بَعْضٍ دَرَجَاتٍ

It is He who hath made you "His" agents, inheritors of the Earth, He hath raised you in ranks, some above others, (Q, Chap: 7, Vs 69).

According to Abdul M. (1976), emphasized that the word "Khalifah" (caliph) is the one who succeeds or comes after another as a successor that is the occupant of the position of the caliph. It was used by Abu-Bakr to have political power as well as religious leadership. It was used as a vicegerent of the Messenger of Allah, khalifah Rasul Allah - and the succeeding caliphs used successor to the successor, etc. of the Messenger of Allah; To be a Khalifah in reality means acting as representative for the law-giver - Muhammad (SAW) the prophet - with regards to the preservation of religion and political leadership of the Muslim community.

"The law-giver was concerned with both things: with religion in his capacity as the person commanded to transmit the duties imposed by the religious law to the people and to cause them to 'act in accordance with them, and with worldly political. Leadership in his capacity as the person in charge of public interest, he also stressed that When Abu-Bakr became the leader of the Muslim community in Madinah, he assumed both the political and the religious functions of the prophet, Because of the multiplicity of these functions controlled by only one person, three titles were used to describe the early caliphs, these titles were;

1. The khalifah, 2. Amir ai-Mu'minin, 3. and Imam.

Each was a title of one and the same personage; The khalifah emphasized his relation to the founder of the faith the apostle of God; The Amir al-Mu'minin, asserted more distinctively the authority of the ruler as supreme war lord and head of the civil administration, that is the secular aspect of the high position of the caliph; and the third, Imam, emphasized rather the religious activity of the head of the state as performing a certain definite religious function. The last title, Imam, is the favorite as designation for the handful of shiah since they laid special emphasis on the sacrosanct character of the successors of the prophet to whom they gradually attributed supernatural powers.

IV. Highlights of the Constitution of Madinah

Viewing his idea with regards to the constitution of Madina Abdul M. (1976), has this to say; the prophet (SAW) had a difficult task; he needed a political and military support to propagate his faith and this he found in Yathrib, (Madinah). By skilful diplomacy he acquired all he needed. He regarded the small community in Madinah as a beginning, he gained the confidence of the Madinise; gave them law, order organization and lastly religion.

The community in Madinah was known as ummah. A document from Madinah before his first clash with the Quraish, which was unanimously regarded as being authentic gave a good record of the Ummah. The preserved document commonly known as the constitution of Madinah, is as follows:-

"The Apostle of God wrote a document concerning the emigrants and the Helpers in which he made a friendly agreement with the Jews and established them in their religion and their property, and stated the reciprocal obligations as follows: In the name of God, the Compassionate, the merciful. This is a document from Muhammad (SAW) the prophet, governing the relations between the believers the Muslims of Quraish and Yathrib, and those who followed them and joined them and laboured with them. They are one community to the exclusion of all men. The Quraish emigrant according to their present custom shall pay the blood wit- within their number and shall redeem their prisoners with kindness and justice common among believers.

The Banu Awf according to their present custom shall pay the blood wit they paid in heathenism; every section shall redeem its prisoners with kindness and justice common among believers.

The Banu Al-Najjar likewise, (All belong to the Khazraj), Banu Amr' Ibn Awf, Banu al - Nabit and Banu al - Aws likewise. (All these belong to the AWs). 'Believers shall not leave anyone destitute among them by not paying his redemption money or blood wit in kindness. A believer shall not take as an ally the freed man of another Muslim against him. The God-fearing believers shall be against the rebellious or him who seeks to spread injustice, or sin or enmity or corruption between believers; the hand of every man shall be against him even if he be a son of one of them, A believer shall no slay a believer for the sake of an unbeliever, nor shall he and an unbeliever against a believer. God's protection is one, the least behalf. Believers are friends one to the other to the exclusion of outsiders,

To the Jew who follows us belongs help and equality; he shall not be wronged nor shall his enemies be aided. The peace of believer is indivisible. 'No separate peace shall be when believers are fighting in the course of God. Conditions must be fair and equitable to all. In every foray a rider must take another behind him,

The believer must avenge the blood of one another shed in the way of Allah. The God-fearing believers enjoy the best and most upright guidance. No polytheist shall take the property or person of Quraish under his protection nor shall he intervene in his favour against a believer. Whosoever is convicted of killing a believer, the evidence being clear, shall be liable to be killed in retaliation except the next of king murdered is satisfied with the payment of blood wit; and the believers shall be against him.

V. Classification of non-Muslims

- A. Doi, (1990, pp.248-9), stated that the Muslim jurists have classified the non-Muslims under different categories, the most prevalent view is that there are the first three kinds of non-Muslims who may be found in any Islamic state:
1. The Dhimmis
These are the ahl-al dhimmah or those who accept the hegemony of an Islamic state whose matters are to be decided with the term of appropriate treaty.
 2. The conquered people:
These non-Muslims are those who fought against Muslims until they were defeated and they were overpowered.
 3. Those non-Muslims who happen to be residing in the Islamic state as its citizens.

1.5.1. The Dhimmis

These are the Jews and the Christian, people of the book (scripture) who live permanently under the protection of the Caliph. They have their rights and their duties these are:

- Security of their life and property
- the promise of protection by the Caliph
- Freedom to practice their religious duty
- Freedom from being called upon to participate in the Jihad
- Payment of a nominal annual tax commonly non as Jiziyah

This tax not only entitles them to enjoy the above rights but also to secure exemption from military service to the state which is obligatory on every able-bodied Muslim citizen. All persons above the age of 50 years and below the age of 16 years, women, children, religious functionaries, the poor, the destitute, and the disabled are exempted from the payment of this tax.

1.5.2. The Musta'min

These are non-Muslims but who are not exactly as the same position as the Dhimmis because they are to stay in the state for short or known period these are:

- a- The ambassadors from non-Muslims countries
- b- Those who came to hear the word of Islam (Allah)
- c- The merchants who are the greatest in number of all the three.

These people enjoy protection like the dhimmis. Protection enjoyed by a foreigner is called "Amana" and the one who ask for such protection is called a Musta'min. the protection enjoyed by a dhimmi is called dhimmah.

1.6. Prophet's Advice to His Caliphs about Non-Muslims

Here under are some of the terms prescribed by the Prophet (saw) on the position of the people of protected faiths under the Islamic state.

- a. The non-Muslims must be treated with leniency and must not be oppressed by any ruler and must not be taxes beyond their capacity and nothing should be taken from them except for a duty encumbering them.

The prophetic tradition emphasizes on this point: Quoted by Al Qardawi, Y. (1977)

"Whoever oppresses a non-Muslim subject or taxes him beyond his capacity, then I shall be the opposite part to him in the litigation".

During his life time the prophet offered the following terms to members of the protected faith ahl-Al-Dhimmah, and this is quoted by A. Doi, (1990, p. 433,) in return for the tax which has imposed on them:

1. If they are attacked by an enemy, the Muslims will defend them.
2. They will not be required to go personally to the tax collector for payment of the tax.
3. They will not be dissuaded from their religion.
4. Their lives will be secured
5. Their wealth, goods and cattle will be secured
6. Their trading caravans will be secured
7. Their land will be secured
8. All that they possessed will be secured
9. Their religious leaders will not be removed from their positions
10. Their crosses and churches will not be damaged
11. Military force will not be sent to their land
12. They will not be asked to deviate from their religious beliefs

13. None of the rights they have been enjoying will be infringed

14. upon.

The above term covers the whole position of the people of the protected faiths under the Islamic state."

VI. The Position of Non-Muslims during the Rightly Guided

Caliphs:

In another quotation made by A. Doi, (p. 433) said: the second caliph of Islam, Sayyidina Umar, bin Al-Khattab is reported to have said the following in the last moments of his life:

"I exhort my successor regarding the treatment to be meted out to the covenanted people by the Messenger of Allah. They should receive the fullest execution of their life and property should be defended even if it requires to go to war (with oppressors), and they should not be taxed beyond their capacity.

Sale A, (2006), revealed that, the Khulafa al-Rashidun (the rightly guided caliphs) used to enquire about non-Muslims whenever people come to see them from the neighboring countries or provinces. Whenever any complaint came from non-Muslims, they used to give their- urgent attention to it in order to ensure that justice was done to them. It is narrated by Al-Tabari in his famous historical work that caliph Umar used to question the delegates concerning the condition of non-Muslims and used to ask if any Muslims had hurt the feelings of non-Muslims in their countries. Once he asked some delegates to narrate the treatment of non-Muslims at the hand of Muslims in their home towns. They replied:

"We do not know except fair treatment by fulfilling their pledge."

Furthermore, Sale, (2006) Added that, the religion of Islam and the shari'ah have emphasized a great deal on the rights of the non-Muslims so much so that any Muslim who violates any of their rights is deemed to have committed a grave sin. But as the caliphs administration became more and more secularized the position and states of the dhimmi fluctuated with the tolerance or non-tolerance of each of the caliphs. On the average, their general terms appeared to be as follows:-

1. He must not show disrespect towards the prophet (saw) and the Quran.
2. If he owns land, he pays a rate higher than that paid by the Muslims; this is kharaj; the Muslims pay Ushr. At the time of Hisham (724 - 43), the payment of Kharaj was transferred to the land from the owner of the land; thus no consideration is attached to the faith of the owner.
3. He must not act contrary to the Muslim interests.
4. Every adult male of sound intellect and free is obliged to pay a poll tax which is lifted if he converts to Islam. The Muslims, of course, pay Zakat.
5. He must not do an act harmful to the person and practices of the Muslims nor must he induce a Muslim to renounce his faith.
6. He must not marry Muslim women

VII. General Rights of Non-Muslims

The expression "human rights" is relatively new, having come into everyday usage only since World War II, the founding of the United Nations in 1945, and the adoption by the UN General Assembly of the Universal Declaration of Human Rights in 1948. Although its emergence in international law is a relatively recent development, the idea of human rights itself is not new. If one were to study and compare the Universal Declaration of Human Rights to the human rights granted by Islam 1400 years ago, one can clearly see the level of high moral ground achieved by Islam before the Universal Declaration. This moral standard did not come as a result of human intellectual endeavor. The source of Islamic morality is Allah. The divine standard provides true comprehensiveness and depth in human needs. It provides for everything that benefits the human race and shields it from any harm. Objective study is likely to conclude, 'there is no religion or moral code on earth that has given more generous attention to faithfully affirming these rights than Islam, detailing them, clarifying them, and expressing them. Sunni, Forum, (2005).

1.8.1. Rights to Human Dignity and Compensation

The blood of a dhimmi is considered as a sacred as that of a Muslim. If a Muslim kills a dhimmi, retribution will have to be made just as for killing a Muslim.

-A Muslim kills a dhimmi in the days of the holy prophet (pbuh). The prophet ordered his execution saying:

"I am responsible for obtaining redress for the weak"

-In the days of Caliph 'Umar a person of the tribe of Bakr bin wa'il kill a Dhimmi of Hirah the Caliph ordered that the murderer be handed over to the kith and kin of the deceased. This was done and the successors of the deceased executed him.

-During the reign of 'Uthman, the third Caliph, an order was issued for the execution of obaidullah, son of Caliph 'Umar because he was said to have killed Hurmuzan, the assassin of 'Umar, and the daughter of Abululu under the impression that they have conspired to murder his illustrious father. Both of them were dhimmis.

-In the days of 'Ali, the fourth Caliph, Muslim was accused of murdering a dhimmi, the charge having been proved, 'Ali ordered the execution of the Muslim. The brother of the deceased submitted, however, that he had forgiven him. But 'Ali was not satisfied and said that perhaps the people had threatened him. It was only when the brother of the deceased sought pardon for the murderer, persistently insisting, that he had received the blood money and that deceased will not return to life by the execution of his murderer, that 'Ali gave his consent to release the murderer and said:

“Whosoever, is our Dhimmi, his blood is as sacred as our own and his property is as inviolable as our own property”. Quoted, by Sunni Forum, (2005),

That is why the Muslims Jurist have inferred that if a Muslim, even unintentionally, kills a dhimmi, similar compensation must be paid as is fixed in the case of the unintentional murder of a Muslim.

1.8.2. The Right to Freedom of Belief and Honor

Islam does not force Dhimmis to embrace Islam but rather recognizes their freedom to choose their own faith. This freedom is stressed in the following Qur'anic verses:

--بِالطَّائِفَاتِ يَكْفُرُ فَمَنْ الْغَيِّ مِنَ الرَّشِدِ نَبِيْنٌ قَدْ الدِّينِ فِي إِكْرَاهٍ لَهَا

'Let there be no compulsion in religion: truth stands out clear from Error'. (Al-Baqarah 2:256)

And [Wilt thou Prophet Muhammad (saw) then compel mankind, against their will, to believe!. History does not deny this fact about Islam, nor do Westerners. Islam, throughout history, has safeguarded and protected houses of worship for non-Muslims and sanctified their religious rituals. When the Prophet (peace and blessings be upon him) wrote the peace treaty to the people of Najran, he asserted to them that they should receive the protection of Allah and His Prophet on their property, faith, and choices. Similarly, 'Umar's letter to the people of Iliya in Palestine, upon the Muslim conquest, promised them the liberty to choose the faith they deemed appropriate; in addition there are analogous accounts attributed to Khalid ibn Al-Waleed. Google. Com. (2013). Muslims protected Christian churches in the lands they occupied from being harmed. In a letter to Simeon, the Archbishop and leader of all the bishops of Persia, the Nestorian Patriarch Geoff III wrote:

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

One of the Muslims caliphs, Abdul-Malik, took the Church of John from the Christians and made it part of a mosque. When Umar bin Abdulaziz succeeded him as the new Caliph, the Christians complained to him about what his predecessor had done to their church. Umar wrote to the governor that the portion of the mosque that was rightfully theirs be returned to them if they were unable to agree with the governor on a monetary settlement that would satisfy the Unbiased Western historians acknowledge these facts. LeBon writes, Quoted by google.com. (2013)

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

1.8.3. The Right to Social Welfare

Islam guarantees non-Muslims living under its societal umbrella their necessary welfare benefits, which enables them to live decently and support those they sponsor, since they are considered among the Muslim state's subjects or citizens. The Prophet (peace and blessings be upon him) was reported to have said, "You are all sponsors and (thus) responsible for those you sponsor" (Ibn 'Umar).

The Rightly Guided Caliphs and those who succeeded them continued to implement these policies towards non-Muslims living within the Muslim community. During the caliphate of Abu Bakr (may Allah be pleased with him), Khalid ibn Al-Waleed sent a letter to the non-Muslim population of Al-Hira in Iraq at the time, assuring them that none of their rights were to be undermined by the Muslim army's procession in their direction. 'Umar ibn Al-Khattab (may Allah be pleased with him) was also reported to have seen a senile Jewish man asking for alms, and hence took him to the treasury and authorized a monthly pension for him and the likes

of him. By this Abu Bakr and `Umar had jointly formulated a social welfare legislation for Muslims as well as non-Muslims, which was then unanimously picked up by all Islamic sects. Google.com, (2013).

1.8.4. The Rights to Education and Work to Earn Profits

The non-Muslims shall naturally have to accept the same system of education as the Government may enforce in the whole country. As regards to religion education, however, they will not be compelled to study Islam, but will have the right to make arrangements for imparting knowledge of their own religion to their children in their own schools and colleges or in the national universities and colleges.

Islam has guaranteed to non-Muslims living under its umbrella the right to engage in any form of commercial activities, including buying, selling, leasing, and otherwise, with the exception of exercising riba (taking interest on loans, etc.). This rule was derived from a letter from the Prophet (peace and blessings be upon him) to the Magians of Hajar, where he said, "You may choose between neglecting riba or facing war with Allah and His Prophet." The selling of liquor and swine in Muslim provinces are also to be added to the list of the impermissible; otherwise, non-Muslims may practice any form of commercial activities.

Adam Mitz, as quoted by al-Qaradawi, once said

Islamic jurisprudence does not forbid Dhimmis from entering any field of labor they choose, and they were well-established in trades which yield large profits; excelling as bankers, landlords, and doctors. Moreover, they managed to organize themselves, such that the most prominent bankers in the Levant (Syrian and Palestine) were Jews, whilst the best physicians and writers were Christians, and the chief of the Christian population in Baghdad was the caliph's personal doctor, as the caliph also gathered in his court the chiefs and heads of the Jewish population. Marifah web site (2015)

1.8.5. Right to Fair Punishment

Muslims and non-Muslims are punished for crimes they have committed according to the Shari'ah. Again, there is no bias in the implementation of the punishments. The following examples clearly indicate this.

Muhammad (saw) said: "By Allah, if Fatimah the daughter of Muhammad stole, I would cut her hand."

Umar bin al-Khattab (ra), when he was Khaleefah, punished his own son. Ibn Umar (ra) narrated: "Two Jews committed adultery and were brought to the Prophet (saw), and he ordered them stoned."

Anas narrated: "A Jew killed a girl with a rock, so the Messenger (saw) killed him."

Imam Abu Hanifah's madhab says: "If a Muslim kills anyone from the People of the Dhimma, then the killer deserves the same punishment, regardless of being male or female." Marifah, web, site, (2015).

VIII. Conclusion

It is necessary to emphasize before closing that an Islamic state is bound to give to the non-Muslim citizens whatever rights Islam prescribes or permits, regardless of what rights and privilege are given or withheld from Muslims in the neighboring or other non-Muslim states. Islam does not believe in the fact that Muslim should draw up their social or economic policies only with reference to the policies of non-Muslims, nor does it tolerate that if non-Muslim act unjustly, the Muslim states should make their innocent non-Muslim subjects the victims of wrath and vengeance, Islam has its own definite and clearly defined ideology and Muslims have to observe its code to the best of their ability. Hence, whatever we give, we shall give with an open heart. Moreover, the rights conferred upon non-Muslims by Islamic state shall not be simply meant to adorn the statute book but it shall be the duty of the state to translate them into actual practice.

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