

## CONTENTS

System of Transliteration	VI
Introduction	VII
Chapter I: Muslims through the Ages: From Minority to Majorities to Minorities	I
Chapter II: Hermeneutic Approaches to Religious Texts	25
Chapter III: The Traditional Ḥanafī Legal Approach	47
Chapter IV: <i>Uṣūl al-Fiqh</i> According to the Ḥanafī School of Law: The Theory	71
Chapter V: Traditional <i>Uṣūl</i> and Political-legal Jurisdictions ( <i>Diyār</i> )	125
Chapter VI: Applications of Traditional Islamic Law: Ḥanafī <i>Fiqh</i> in the West	148
Conclusion	170
Appendix: Ibn ‘Ābidīn’s <i>‘Uqūd rasm al-muftī</i>	173
Glossary	181
Bibliography	187
Index	207

### List of Figures

Figure 1: The Interpretive Continuum	XVII
Figure 2: Historical and Geographical Representation of the Key Jurists of the Ḥanafī Law School	55
Figure 3: The Changing of <i>Ḥukm</i> due to Changing Context	68
Figure 4: The Relationship between the Political-legal Jurisdictions	142

### List of Tables

Table 1: Closed and Open Views of the ‘Other’	XV
Table 2: The Relationship between Social Stance and Hermeneutic Approach	XVIII
Table 3: The Concept of <i>Khāṣ</i> in the Source Texts	74

# CHAPTER I

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## Muslims through the Ages: From Minority to Majorities to Minorities

**O**VER FOURTEEN CENTURIES AGO, Islam came into being with the revelation of the Qur’ān to the Prophet Muḥammad. What started with a tiny group of people—the Prophet, his family and early converts in Mecca—soon spread at an astounding speed. Today, we find the presence of Islam and its followers on every continent and in almost all countries on the face of the earth.

From the time when Islam became the predominant religion in certain geographical areas, the majority of Muslims have lived in Muslim-majority lands. However, in the last century an unusual phenomenon started to take place: it was the movement of significant numbers of people from the East to the West in order to better themselves economically. These numbers included a mass migration of Muslims who then took up permanent residence in secular, modern states and as a result becoming a ‘Muslim minority’.

### DEFINITION OF ‘MUSLIM MINORITY’

Around one quarter of the world’s population is ‘Muslim’, ranging from near complete majorities in some countries to virtually zero minorities in others. But before discussing Muslims as minorities around the world, definitions of the terms ‘Muslim’ and ‘minority’ are required.

The literal meaning of the word Islam is ‘submission’ and its interpretation is ‘to submit oneself to God’. Islam is based on five principles: affirmation of belief in the Oneness of God and in Muḥammad as His messenger, prayer, almsgiving, fasting and pilgrimage. Muslims, literally ‘Submitters’, lay claim to all prophets from Adam to Muḥammad and believe Muḥammad to be the final link in the long line of prophets sent from God. For Muslims, the Qur’ān

is the actual uncreated Word of God brought to the Prophet Muḥammad by the Angel Gabriel (*Jibrāʾīl*) over a span of approximately twenty-three years. The Qurʾān consists of one hundred and fourteen chapters referred to as *Sūra* (pl. *Suwar*) and over six thousand verses (*āyāt*, sing. *āya*). These verses detail stories of previous prophets and nations, give descriptions of the Unseen, the celestial worlds and the afterlife, and includes injunctions and rulings for many aspects of the lives of Muslims. As Muslims believe that the Prophet was divinely inspired, his words and actions—the *ḥadīth*—are recorded in books of *aḥādīth* and, like the Qurʾān, are used to derive principles for everyday life. Finally, Muslims believe in Heaven and Hell, that the world will come to an end and that on the Day of Reckoning each person will account for his or her deeds.

As to the term ‘minority’, it is of two types: a) numerical minority when the majority are non-Muslim, e.g., Muslims in Europe and in Britain; b) minority by ruling power when the non-Muslim majority or minority is the ruling power. As Asad states, ‘Minorities are defined as minorities in structures of dominant power.’<sup>1</sup> Under such an interpretation, the Muslims of the Mughal Empire are not considered a minority despite their numerical inferiority because they were in power.<sup>2</sup>

Therefore, when we employ the terminology ‘Muslim minority’ we refer to those individuals who profess their faith as defined above, are not in a position of dominant power and cannot establish laws within the state or decide and arrange relationships with other states of their choosing, such powers being in the hands of the ‘Other’.

## MUSLIMS LIVING AS A MINORITY: EXAMPLES FROM AROUND THE WORLD

In his work *Muslim Minorities in the World Today*, Mohammed Kettani observed

<sup>1</sup> Talal Asad, ‘Muslims and European Identity: Can Europe Represent Islam?’, in A. Pagden, (ed.), *The Idea of Europe: From Antiquity to the European Union* (Cambridge: Cambridge University Press, 2002), p. 223.

<sup>2</sup> Mohammed Kettani, *Muslim Minorities in the World Today* (London: Mansell Publishing Ltd, 1986), pp. 2-3; Taha Alwani, *Towards a Fiqh for Minorities: Some Basic Reflections*, Occasional Papers Series 10 (London: The International Institute of Islamic Thought, 2003), p. viii; Yūsuf al-Qaraḍāwī, *Fī fiqh al-aqalliyyāt al-muslima: ḥayat al-muslimīn waṣ al-mujtamaʿāt al-ukhrā* (Cairo: Dār al-Shurūq, 2001), p. 17.

that a significant number of Muslims are living as minorities and that in 1982 the total number was nearly 40% of the world's Muslim population (representing 392 million).<sup>3</sup> There has been a significant increase in world population since 1982; this obviously includes an increase in the world's Muslim population and an increase in the numbers of Muslims living as minorities. Even if we assume that the figure for Muslim minorities has not increased much from what is quoted above, it still demonstrates the absolute importance of understanding the manner in which laws are promulgated in Islamic societies and how it is possible to cater for Muslims living in non-Muslim environments. A number of studies have been conducted on Muslims living as minorities, and we shall summarise some of these here as they demonstrate different understandings and approaches.

Israeli<sup>4</sup> and Gladney<sup>5</sup> have studied Muslims in China with differing, in fact completely opposing conclusions. Israeli refers to the thirty million or so Muslims as 'the Muslim problem'.<sup>6</sup> According to him, this 'problem' is compounded by the fact that Muslims in China are dispersed and not in one autonomous region, hence 'difficult' to manage or deal with.<sup>7</sup> He argues that the Muslims in China live 'outside that polity and nurture separatistic ideals,'<sup>8</sup> and await the opportunity to attain these goals. He argues that a greater movement of Muslims between China and Muslim countries, and a pro-Arab stance in the world will exacerbate the situation by increasing the confidence of Chinese Muslims to express their Islamic identity and that this will only increase the 'problem' for the state.

Gladney argues against the position Israeli adopts and suggests that the 'successful Muslim accommodation to minority status in China'<sup>9</sup> is a measure of how Muslims 'allow the reconciliation of the dictates of Islamic culture to their host culture.'<sup>10</sup> He acknowledges the trade pressure which Middle Eastern Muslim countries could apply on China, which he believes will naturally affect the state's treatment of its Muslim citizens in a positive manner.

<sup>3</sup> Mohammed Kettani, *Muslim Minorities in the World Today*, p. 241.

<sup>4</sup> Raphael Israeli, 'The Muslim Minority in the People's Republic of China', pp. 901-19.

<sup>5</sup> Dru Gladney, 'Islam in China: Accommodation or Separation?', pp. 451-67.

<sup>6</sup> Israeli, 'The Muslim Minority in the People's Republic of China', p. 902.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Gladney, 'Islam in China: Accommodation or Separation?', p. 451.

<sup>10</sup> Ibid., p. 452.

Forbes<sup>11</sup> focuses on the Muslims of Thailand and estimates that in 1982 there were around two million Muslims living in Thailand, approximately 4% of the total population. He observes that the government policy of attempting to assimilate the Muslim population had produced the opposite of the desired effect, namely separatism or isolationism, and that the policy has now changed towards the greater integration of the Muslim population. The Muslims acknowledged that this change in policy requires them to re-think their attitude towards the state and to adopt a more integrative approach as they appreciate that security and influence could be better achieved as a single community. Forbes concludes that any return by the Thai government to assimilationist policies would lead to reactionary separatism on the part of the Muslim community, particularly those living in the South, 'with potentially disastrous consequences for the area as a whole.'<sup>12</sup>

Moving further west to India, Krishna<sup>13</sup> believes that an 'acute concern for power'<sup>14</sup> is inherent in the nature of Islam and that when Islam is not in the ascendancy the Muslim community is compelled to be wholly autonomous, 'a state within a state'.<sup>15</sup> He claims that 'majority' and 'minority' concepts are alien to Islam as they are based on territorial principles whereas Islam views things from the perspective of 'Muslims' and 'Others'; he further argues that 'it is a religious duty of the believers to keep the non-believers at bay and to overcome them.'<sup>16</sup> In his opinion, an example of this was when the Indian Constitution was being developed and Muslims argued for a retention of their personal/family law as it is an intrinsic part of their religion.

One particular area of discussion and debate which was central to the Constitutional debate in India was the definition of 'secularism' and 'integration', with a view to the removal of the direct influence of religions from the political sphere. 'Secularism, entailing separation of religion and politics and thus freeing the state from sectarian conflict, was seen by the founders of the Indian Republic as the political solution to the historical problem of religious

<sup>11</sup> Andrew Forbes, 'Thailand's Muslim Minorities: Assimilation, Secession or Coexistence?', pp. 1056-73.

<sup>12</sup> *Ibid.*, p. 1068.

<sup>13</sup> Gopal Krishna, 'Islam, Minority Status and Citizenship: Muslim Experience in India', *Archives Europennes de Sociologie* (vol. 27, no. 2, 1986), pp. 353-68.

<sup>14</sup> *Ibid.*, p. 353.

<sup>15</sup> *Ibid.*, p. 354.

<sup>16</sup> *Ibid.*

cleavage in India. The state retained the right to regulate secular aspects of the religious institutions but guaranteed freedom of religion and protected the cultural interests of the minorities. They also expected that secularism would promote national integration, i.e., to bring about a greater increasing harmony among the different constituents of the Indian population, and over time establish a modern political community.<sup>17</sup> In Krishna's opinion, the approach of the founders of the Indian Republic was misunderstood by the politically active Muslims to mean almost the complete opposite of what was originally intended. '[They] defined "secularism" to mean the state ensuring freedom of religion, equality of all religions, non-interference in religious affairs (leaving each religious community free to order its own religious life), and "integration" to mean a relatively autonomous life to each community.'<sup>18</sup>

In Israel, where according to Reiter<sup>19</sup> a sixth of the population (700,000, including occupied Jerusalem), is Muslim, there are special provisions for Muslims under the judicial system allowing for *qādis* (judges) to cater for Muslims' personal/family status and *waqf* (religious endowment) affairs.

Shadid<sup>20</sup> has studied Muslims in the Netherlands and claims that the immigrant Turks, Moroccans, Pakistanis and Surinamers were prepared to lose the 'ethnic component of their identity in favour of the religious component.'<sup>21</sup> He believes that if the host society is tolerant and recognises Muslims' rights to retain their identity then the claim that their original culture will have a negative effect on their opportunities for vertical mobility would not materialise. On the other hand, in an intolerant society the preservation of the original culture would have a negative influence. He asserts that the notion of 'blaming the victim' needs to be challenged by making efforts to eradicate intolerance and discrimination. He concludes by stating 'an intolerant society always finds some characteristic to justify its intolerance of these minority groups.'<sup>22</sup>

From the above, it can be seen that some scholars like Israeli and Krishna

<sup>17</sup> Ibid., p. 359.

<sup>18</sup> Ibid., p. 360.

<sup>19</sup> Yitzhak Reiter, 'Qādis and the Implementation of Islamic Law in Present Day Israel', in R. Gleave and E. Kermeli (eds.), *Islamic Law: Theory and Practice* (London: I. B. Tauris, 1997), pp. 205-31.

<sup>20</sup> Wasif Shadid, 'The Integration of Muslim Minorities in the Netherlands', pp. 355-74.

<sup>21</sup> Ibid., p. 366.

<sup>22</sup> Ibid., p. 367.

have focussed on the perception of Muslim minority communities as a ‘problem’, while other scholars have viewed matters differently. Ahmed<sup>23</sup> feels that Muslim minorities may pose a ‘problem’ for non-Muslim countries who have an image of themselves as being plural, tolerant, secular and modern societies. These secular societies can view Muslims either as damaging or at least challenging this image because of their perceived rejectionist tendency; or as ‘problem’ because of historical and political factors. Asad<sup>24</sup> agrees with this position and suggests that many non-Muslims believe that Islam comprises values that are ‘an affront to the modern Western form of life.’<sup>25</sup> He argues that a better understanding between secular societies and Muslims would remove this misunderstanding and allow better relationships within the state.

We shall be arguing below that when Muslims are integrated within the political and legal framework as co-citizens, then this leads to benefits for both parties, as the state has citizens who feel part of the society and hence care for its success, and likewise the citizens do not feel marginalised or overlooked. However, if attempts are made to disregard certain Islamic laws (specifically those dealing with personal or family life) which make it possible for Muslims to live according to their religious commitments, then this can lead to separatism or isolation and an increased assertion of religious identity expressed either privately or publicly.

#### ARRIVAL AND ESTABLISHMENT OF MUSLIMS IN WESTERN EUROPE

The presence of Muslims in Europe dates back to the dawn of Islam over 1400 years ago when tradesmen and diplomats ventured into continental Europe. With respect to established communities of Muslims in Europe there were four distinct phases. Nielsen<sup>26</sup> details these phases thus: the first phase was the expansion of the early Islamic empire into Spain and southern Italy, which was ended by the Normans in the eleventh century and the Spanish *Reconquista* in 1492. The second phase was a result of the Mongol invasions during the thirteenth century with the establishment of Muslim states by various Tartar groups from the Volga down to the Caucasus and Crimea; other smaller colonies were established in places like Finland and an area which currently falls

<sup>23</sup> Akbar Ahmed, *Living Islam: From Samarqand to Stornoway* (London: BBC Books, 1993).

<sup>24</sup> Asad, ‘Muslims and European Identity: Can Europe Represent Islam?’, pp. 209–28.

<sup>25</sup> *Ibid.*, p. 210.

<sup>26</sup> Jorgen Nielsen, *Islamic Surveys*, pp. 1–3.

between Poland and the Ukraine. The third phase was due to the Ottoman empire's expansion into central Europe and the Balkans. Turkish settlements in Bulgaria, Yugoslavia, Romania and Greece have survived until today; the influence of the Ottomans also brought about significant Muslim populations in Albania and Bosnia.<sup>27</sup> The fourth phase was the establishment of migrant Muslim communities in Western Europe.

In the fourth phase, the period after the Second World War is the most significant. However, it is possible to find links between Muslims and Europe well before the end of the Second World War. For instance, the German states came into contact, or rather conflict, with Islam due to Ottoman expansion through the Balkans with two sieges of Vienna in 1529 and 1683. After the second siege many Muslims became permanent residents in Germany. King Frederick I formed the first Muslim Prussian unit, consisting of Tartar deserters from the Russian army; eventually over one thousand Muslims served in the cavalry. Further developments were the establishing of a Muslim cemetery in Berlin, followed by the building of a mosque within its grounds in 1866. As a consequence of diplomatic relations and trading treaties between Berlin and Istanbul the Muslim community grew in Germany. The recognition of this Muslim community resulted in the provision, during the Second World War, of imams and the construction of a mosque for Muslim prisoners captured from the allied armies: Tartars, Caucasians and Turks from Russia, Indians from Britain and Senegalese and Algerians from France.<sup>28</sup> Similarly, in the aftermath of the Second World War many soldiers and former prisoners of Soviet Muslim nationality settled in Germany.

In central Europe, Austria-Hungary occupied the Ottoman Bosnia-Herzegovina in 1878 and introduced an act 'relating to the recognition of the followers of Islam of the Hanafite rite as a religious community', hence Islamic family law was applied within its courts for Muslims.<sup>29</sup>

It is clear that Islam has had a relationship with Europe for centuries and that Muslims have for different reasons taken up permanent residence in European cities. However, the first major migration of Muslims into Western Europe took place after the Second World War due to a number of reasons, which will be discussed in the next section.

<sup>27</sup> *Ibid.*, p. 1.

<sup>28</sup> *Ibid.*, p. 2.

<sup>29</sup> *Ibid.*, p. 3.