

Fiqh Al Aqalliyat (Jurisprude for Muslim Minorities): An Emerging Discourse for Western Minorities

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Abstract : Role of Muslim minority in a democratic state has been the most debatable as well as attractive issue in the writings of the contemporary Muslim scholars, never discussed in the classical Islamic literature of history. Islam as a dominant religion has been the issue of academic discussions in the entire classical literature of Islamic jurisprudence the division of world into Dar al-Islam (abode of Islam), Dar al-Harb (abode of war) has been the main division on the basis of which Islam's relation with the remaining world were defined and formulated. Now living in a global society the classical division of territories seems to be irrelevant. The new division of the same became necessary in the present situation particularly in view of the pluralistic society and need of power sharing in non-Muslim countries. It is important to note that a number of Muslim scholars of modern period examined this problem and other issues of Muslim minorities from legal point of view. Fiqh al-Aqalliyat is a newly developed discipline of Islamic jurisprudence. The rationale for this development is that there are so many issues of the Muslim minorities particularly in the European countries which are required to be discussed and examined juridically by Muslim jurists and scholars. There was also need for reinterpreting the term Dar al-Harb and relevance of its applicability to the west. The present paper shed a light on these emerging trends in Islamic world.

Keywords : fiqh al Aqalliyat, Muslim minorities, Europe, Islam

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