

THE CONSTITUTIONAL AND JURISPRUDENTIAL STATUS OF THE CONTRACT OF FREE NON-MUSLIMS ENJOYING MUSLIM PROTECTION

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Issue related to people of contract or Non-Muslims remained a point of concern and on priority list for Islamic states. It is quite obvious from the huge literature on this topic produced by Islamic scholars throughout the Islamic history. There are many books written by Islamic scholars, which describe in detail the rights and duties of Non-Muslims, their role in society and all other matters related to social and economics in the light of Islamic teachings. The importance given to this issue is due to teaching of Quran and the in detail instructions and interaction of Prophet Hazrat Muhammad (peace be upon him) with Non-Muslim citizens in Islamic state.

This research paper deals with the interaction of Prophet Hazrat Muhammad (peace be upon him) with Non-Muslim citizens during the time when he was head of the Islamic state. Nevertheless, this paper does not touch other issues of Non-Muslims. The work elaborates the rights of minorities and their social status in Islamic society. Moreover, role of rules of Islamic state has been explained to look after minorities as per instruction given in Quran and Sunnah.

The paper explains the general Islamic principles, which deal with the rights of minorities. It has been observed that Islamic laws make no difference related to life and wealth of people based on faith. It means that Non-Muslims were having rights equal to Muslims. According to Islamic law of Qisas, Muslim will be hanged if he murders any non-Muslim, without any genuine reason.

This article explicates that Islam allows Non-Muslims to live and do business in any part of the Islamic state. However, they are not allowed to live permanently in the area of Hijaz, (Jazeera-tul Arab), which is considered as center of Islam. It is known to everyone that Non-Catholic Christian are not allowed to buy land and live permanently in Vatican city. It shows that every religion has its own internal policy.

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