



# Does That Apply to Non-Muslims, Too?

---

**JUSTIN PARROTT**

## Author Biography

**Justin Parrott** has BAs in Physics and English from Otterbein University, an MLIS from Kent State University, and an MRes in Islamic Studies from the University of Wales. He is currently the Research Librarian for Middle East Studies at New York University in Abu Dhabi (NYUAD). Justin embraced Islam in 2004 at the age of 20. He studied Islam from a traditional perspective with local scholars and Imams and served as a volunteer Imam for the Islamic Society of Greater Columbus until 2013. Justin is currently the faculty advisor and volunteer Imam for the Muslim Students Association at NYUAD.

***Disclaimer:** The views, opinions, findings, and conclusions expressed in these papers and articles are strictly those of the authors. Furthermore, Yaqeen does not endorse any of the personal views of the authors on any platform. Our team is diverse on all fronts, allowing for constant, enriching dialogue that helps us produce high-quality research.*

Copyright © 2020. Yaqeen Institute for Islamic Research

*In the name of Allah, the Gracious, the Merciful*

## Introduction

A common question Muslims have when reading the Qur'an and Sunnah is whether or not the lessons found therein apply to non-Muslims. Sometimes a text will refer to "Muslims" or "believers," but does that mean it *only* applies to Muslims?

Some religious rules are certainly limited to Muslims, such as funeral rites, marriage, and dietary laws, but these differences are clearly defined in Islamic legal tradition. This research will show that other general exhortations to charity, kindness, and benevolence apply to both Muslims and non-Muslims, as Muslims should be respectful and well-mannered towards fellow human beings as a whole. There are plenty of indications in the Qur'an and Sunnah that much of our moral paradigm applies to the bulk of humanity, with exceptions made for the worst offenders of justice.

This article aims to highlight the status of both Muslim and non-Muslim family members and neighbors in Islam. It will explain the various covenants of protection for non-Muslims that existed in classical Islam, how these covenants granted legal protections to non-Muslims that were equivalent to those protecting Muslims, and how these covenants are analogous to the concept of 'citizenship' today. Finally, it will analyze some of the Prophet's ﷺ discourse in which he used exclusive language for Muslims, but which scholars have understood for various reasons to be inclusive of non-Muslims.

## Non-Muslim family members in Islam

Concern for blood relations is one of the most important moral priorities a Muslim should have, especially their own parents. This is true whether or not our relatives are Muslims. Our family members have the right to be treated well simply by virtue of their proximity to us, regardless of their personal religious beliefs. This is

especially true for our parents. Allah has commanded us repeatedly in the Qur'an to be good to our parents, with a special emphasis on our mothers.

Allah said:

We have enjoined upon humankind to be good to his parents. His mother carried him in weakness upon weakness, and his weaning is in two years. Be grateful to Me and to your parents, for unto Me is the final destination. If they strive to make you associate with Me that of which you have no knowledge, do not obey them but accompany them kindly in the world.<sup>1</sup>

This verse specifically discusses the case when one's parents do not accept Islam. We are still obligated to treat them well even if they "strive" (*jāhadā*) against us for being Muslims! We must obey their reasonable requests as long as they do not involve anything sinful. Obviously, this duty does not negate the rights of children to self-defense from violent parental attacks, but anything less than that must be tolerated. Ibn Kathīr (d. 1373) notes that parents' non-violent opposition to Islam "does not prevent you from accompanying them kindly in the world, meaning, to treat them both in the best manner."<sup>2</sup> Allah's command to be good to parents applies in a very broad sense to Muslim and non-Muslim parents, only making exceptions for extreme cases of violence and persecution.

Islamic tradition refers to family relations as *ṣilat al-rahim*, which literally means "connecting the womb." The womb has great symbolic and cosmic significance as the uniting entity that binds families together. The Prophet ﷺ said:

Verily, Allah made the creation and when He finished, the womb said, 'In this place, I seek refuge in you from those who sever me.' Allah said, 'Are you not pleased that I keep good relations with those who are good to you and I will cut off whoever severs relations with you?' The womb said, 'Yes, my Lord.' Allah said, 'Thus, you will have it.'<sup>3</sup>

<sup>1</sup> Qur'an 31:14–15.

<sup>2</sup> Ismā'il ibn Kathīr, *Tafsīr al-Qur'ān al-'Azīm* (Beirut: Dār al-Kutub al-'Ilmīyah, 1998), 6:301, verse 31:15.

<sup>3</sup> Muslim ibn al-Ḥajjāj al-Qushayrī, *Ṣaḥīḥ Muslim* ([Beirut]: Dār Iḥyā' al-Kutub al-'Arabīyah, 1955), 4:1980, no. 2554.

The womb (*al-rahim*) is also an expression of Allah’s mercy (*rahmah*), being derived from the same linguistic root. The Prophet ﷺ said, “The womb derives its name from the Most Merciful. Whoever keeps its relations, Allah will keep his relations. Whoever severs its relations, Allah will sever his relations.”<sup>4</sup> That is, Allah will continue to guide and reward Muslims who fulfill their duties towards their families and treat them well, but He will abandon those who abandon their families. Family relations are the focal point of mercy in the lives of believers, as implied by the word’s etymology, mercy that when consolidated towards one’s closest inner circle will radiate outward to positively affect the community and humanity at large.

As always, there is no better example of this teaching in practice than the Prophet ﷺ himself. We know from his biography that many of his Qurayshī relatives opposed him, sometimes violently, while other members of his family accepted Islam. He defended himself, his community, and their right to practice Islam, of course, yet he upheld the rights of his unbelieving relatives even as they hurt him. Allah said, “Say: I do not ask you anything for (this message), except for the affection of relatives.”<sup>5</sup> The Prophet ﷺ did not want any monetary or worldly payment for preaching Islam to them, but he still expected them to show him familial affection. As recorded by al-Ṭabarī (d. 923), some of the early Muslims interpreted this verse to mean that the Prophet ﷺ wanted nothing from them in return for Islam “except for you to show me affection in my relations with you and to uphold our family ties between us.”<sup>6</sup> Even as they committed unbelief and idolatry, affection between them was to be expected. This demonstrates that religious difference by itself in no way precludes a Muslim from showing their natural love to their non-Muslim family members.

<sup>4</sup> Muḥammad ibn ‘Īsā al-Tirmidhī, *Sunan al-Tirmidhī* (Beirut: Dār al-Gharb al-Islāmī, 1998), 3:388, no. 1924; declared (*ṣaḥīḥ*) authentic by al-Tirmidhī in the comments.

<sup>5</sup> Qur’ān 42:23.

<sup>6</sup> Abū Ja‘far al-Ṭabarī, *Jāmi‘ al-Bayān ‘an Ta’wīl al-Qur’ān* (Beirut: Mu’assasat al-Risālah, 2000), 21:525, verse 42:23.

When the Quraysh solidified their stubborn opposition to Islam, going as far as boycotting, torturing, or driving out the most vulnerable Muslims, the Prophet ﷺ still acknowledged their rights as family members. The Prophet ﷺ declared openly, “The relatives of my father are not my allies. Verily, only Allah and the righteous believers are my allies. Yet, they have the bonds of kinship and I will uphold their family ties.”<sup>7</sup> On one occasion in Medina, the Prophet ﷺ presented ‘Umar ibn al-Khaṭṭāb (*rḍa*) with a silk garment<sup>8</sup> as a gift, which ‘Umar then gave to his half-brother in Mecca who was an idolater at the time.<sup>9</sup> Al-Nawawī (d. 1277) mentioned several narrations of this tradition and he concludes, “All of it is evidence for the permissibility of maintaining relations with relatives who are unbelievers and being good to them, as well as giving gifts to the unbelievers.”<sup>10</sup> Hence, even non-Muslim relatives who happen to reside in hostile lands, as Mecca was at the time, should be treated well.

A verse about family and love is frequently mistranslated or misquoted to make Islam look like a hateful or anti-family religion. Allah said:

You will not find people who have faith in Allah and the Last Day showing affection to those who oppose Allah and His Messenger, even if they were their fathers or their sons or their brothers or their kindred.<sup>11</sup>

Apologists against Islam translate “affection” as “love” and then contrast this verse with the “love your enemies” passage of the New Testament. This is misleading because the verb *wadd* means “affection,” not love in the sense of loving good for others or treating people as you want to be treated.<sup>12</sup> It would be difficult for anyone to argue that showing warmth or affection to a violent oppressor is praiseworthy. Qatādah ibn Di‘āmah al-Sadūsī (d. 735), the great

<sup>7</sup> Muḥammad ibn Ismā‘īl al-Bukhārī, *Ṣaḥīḥ al-Bukhārī* (Beirut: Dār Ṭawq al-Najāh, 2002), 8:6, no. 5990.

<sup>8</sup> Al-Nawawī clarifies that, although it is not allowed in Islam for men to wear silk, it was nonetheless a beneficial material that could be worn by women, used for other purposes, and/or sold.

<sup>9</sup> Muslim, *Ṣaḥīḥ Muslim*, 3:1638, no. 2068.

<sup>10</sup> Yaḥyá ibn Sharaf al-Nawawī, *Sharḥ al-Nawawī ‘alá Ṣaḥīḥ Muslim* (Beirut: Dār Iḥyā’ al-Turāth al-‘Arabī, 1972), 14:39.

<sup>11</sup> Qur’ān 58:22.

<sup>12</sup> For a more detailed explanation of loving good for others in Islam, see Justin Parrott, “The Golden Rule in Islam: Ethics of Reciprocity in Islamic Traditions” (master’s thesis, University of Wales Trinity Saint David, 2018), <https://archive.nyu.edu/handle/2451/43458>.

scholar from the second generation of Islam, explains that “those who oppose Allah and His Messenger” here means “those who show enmity.”<sup>13</sup> These were members of the Quraysh who had persecuted the Prophet ﷺ and his companions until they had no choice but to flee to Medina. Showing affection to them while they committed such heinous evil deeds would only embolden them. Nevertheless, the Prophet ﷺ held out hope for reconciliation and, in the end, he famously forgave them all and many of them eventually freely converted to Islam.<sup>14</sup>

## Non-Muslim neighbors in Islam

Islam strongly encourages good behavior towards neighbors, whether they are Muslims or non-Muslims. After family members, neighbors are the next relationship in importance to Muslims. In fact, many classical Muslim scholars like al-Mundhirī (d. 1258) would include chapters of their works devoted to the “rights” of neighbors and their good treatment.<sup>15</sup>

Allah said:

Worship Allah and associate nothing with Him, and be good to parents, relatives, orphans, the needy, the near neighbor, the far neighbor, the companion at your side, the traveler, and those under custodianship of your right hands. Verily, Allah does not love those who are self-deluding and boastful.<sup>16</sup>

In this verse, Allah orders benevolent treatment (*iḥsān*) in general towards practically every type of person in society, including family members alongside the “near neighbor” and “far neighbor.” Some scholars understood that this distinction between neighbors does not refer to physical distance, but to differences in religion. The near neighbor is a Muslim, while the far neighbor is a non-Muslim. al-Qurṭubī (d. 1273) explains the implications of the verse, writing:

<sup>13</sup> Al-Tabarī, *Jāmi‘ al-Bayān*, 23:258, verse 58:22.

<sup>14</sup> For more information on this topic, see Dr. Omar Suleiman and Sh. Mohammad Elshinawy, “How the Prophet Muhammad ﷺ Rose above Enmity and Insult,” *Yaqeen*, January 13, 2017, [yaqeeninstitute.org/mohammad-elshinawy/how-the-prophet-muhammad-rose-above-enmity-and-insult](http://yaqeeninstitute.org/mohammad-elshinawy/how-the-prophet-muhammad-rose-above-enmity-and-insult).

<sup>15</sup> ‘Abd al-‘Azīm al-Mundhirī, *al-Targhīb wa-al-Tarhīb* (Beirut: Dār al-Kutub al-‘Ilmīyah, 1996), 3:352.

<sup>16</sup> Qur’ān 4:36.

I say: On the basis of this instruction in regards to the neighbor, it is commanded by way of recommendation whether to a Muslim or an unbeliever. This is the correct opinion. Benevolence comes with the meaning of sympathy and comes with the meaning of good companionship, refraining from harm, and defending from others.<sup>17</sup>

The companions and righteous predecessors understood that the Prophet's ﷺ many commandments to be good to neighbors applied to both Muslims and non-Muslims. Mujāhid ibn Jabr (d. 722) reported that he was with the companion ‘Abd Allāh ibn ‘Amr (*rḍa*) as his servant was preparing a roasted sheep. ‘Abd Allāh said, “Have you given some to our Jewish neighbor? I heard the Messenger of Allah ﷺ say, ‘Gabriel continued to instruct me in regards to neighbors that I thought he would make them my heirs.’”<sup>18</sup> Al-Tirmidhī, who narrated this tradition, further notes that similar sentiments were reported from other ﷺ companions including ‘Ā’ishah, Ibn ‘Abbās, Anas, Abū Ḥurayrah, ‘Uqbah ibn ‘Amir, and Abū Umāmah, may Allah be pleased with them.<sup>19</sup>

As such, the general rule is that anyone who lives with us as neighbors—that is, who agrees to live peacefully in proximity to us—must at the very least be safe from our harm, if not shown kindness and charity. The only exception to this rule is the prohibition of showing kindness to an oppressor or wrongdoer because, as al-Ghazālī (d. 1111) correctly noted, “Kindness to the oppressor is evil to the oppressed.”<sup>20</sup> Charity cannot come at the expense of justice. We should be kind to everyone we meet in our lives, Muslims and non-Muslims, as long as that kindness does not embolden some wrongdoing on their part or otherwise infringe on someone else’s rights. Indeed, Allah might afflict us with evil neighbors in order to test our patience and mercy. Their bad character ought to be tolerated as much as possible, but retaliation as permitted by law is an option when the legal rights of individuals with regard to their lives, property, and safety have been violated by their neighbors.

<sup>17</sup> Al-Qurṭubī, *Jāmi‘ li-ahkām al-Qur’an* (Cairo: Dār al-Kutūb al-Miṣrīyah, 1964), 5:174, verse 4:36.

<sup>18</sup> Al-Tirmidhī, *Sunan al-Tirmidhī*, 3:397, no. 1943; declared (*ḥasan*) fair by Al-Tirmidhī in the comments.

<sup>19</sup> Al-Tirmidhī, *Sunan al-Tirmidhī*, 3:397, no. 1943.

<sup>20</sup> Abū Ḥāmid al-Ghazzālī, *Iḥyā’ ‘Ulūm al-Dīn* (Beirut: Dār al-Ma‘rifah, 1980), 2:167.

In legal terms, classical Muslim scholars developed and codified the rules of neighborliness in a way that explicitly gave the same protective rights to Muslims and their non-Muslim neighbors.

## Non-Muslim covenant of protection

Harming a person who is not harming anyone else is a serious offense to Allah. The Prophet ﷺ said, “He will not enter Paradise whose neighbor is not secure from his evil.”<sup>21</sup> Muslims are threatened here with banishment from Paradise if they harm their neighbors without a just cause for doing so. Not only is it inherently immoral to hurt innocent people for no good reason, but it also disrupts the peaceful relations their communities might otherwise have with the Muslim community. In addition, harming a peaceful non-Muslim indirectly harms the safety and stability enjoyed by Muslims when it provokes retaliation.

On this basis, scholars have divided non-Muslims into three legally protected classes:

1. *Dhimmī* - a non-Muslim who lives in a Muslim land and pays taxes to a Muslim authority.
2. *Mu‘āhid* - a non-Muslim who lives in a country upholding a peace treaty with Muslims.
3. *Musta‘min* - a non-Muslim from outside Muslim lands granted permission to enter.<sup>22</sup>

In each of these cases, a non-Muslim enters a mutual agreement with the Muslim community not to harm each other, whether they are living as citizens of a Muslim country, citizens of a foreign country, or as guests entering a Muslim country with a visa. They become neighbors by law, so to speak. These peaceful non-Muslims are entitled to certain legal and moral protections analogous to those of Muslim citizens. The exception to these protected categories are enemy combatants (*ḥarbī*).

<sup>21</sup> Muslim, *Ṣaḥīḥ Muslim*, 1:68, no. 46.

<sup>22</sup> Muḥammad Ṣāliḥ ibn ‘Uthaymīn, *Sharḥ Riyāḍ al-Ṣāliḥīn* (Riyadh: Dār al-Waṭān lil-Nashr, 2005), 2:534. Shaykh Ibn ‘Uthaymīn writes, “These are the four types of sacred blood: the blood of a Muslim, the blood of a *dhimmī*, the blood of a *mu‘āhid*, and the blood of a *musta‘min*.”

The Prophet ﷺ warned Muslims in the strongest terms not to violate this sacred pact, saying, “Whoever kills a person protected by a treaty (*mu ‘āhid*) will not smell the fragrance of Paradise. Verily, its fragrance can be found from a distance of forty years of travel.”<sup>23</sup> In another narration, the Prophet ﷺ said, “Whoever kills a person protected by a treaty, without a just cause, Allah has forbidden Paradise for him.”<sup>24</sup> And in another narration, the Prophet ﷺ said, “Whoever wrongs a person protected by a treaty, violates his rights, burdens him with more work than he is able to do, or takes something from him without his consent, I will be his prosecutor on the Day of Resurrection.”<sup>25</sup> There are many authentic narrations from the Prophet ﷺ that convey this meaning, so much so that scholars considered them to be mass transmitted (*mutawātir*), meaning indisputably true. According to the Mālikī scholar Muḥammad ibn Yūsuf al-Mawwāq (d. 1492), “The prophetic traditions that prohibit wronging them [i.e., those protected by a treaty] have been unanimously reported.”<sup>26</sup>

It is not necessarily required for a non-Muslim to be granted formal legal protections by state authorities. Harming anyone who is otherwise harmless, especially by deceptive means, is a forbidden act in Islam. Ibn Taymīyah (d. 1328) states the operative principle, “The default rule (*aṣl*) is that the blood of the human being (*Ādamī*) is inviolable except by right of justice.”<sup>27</sup> Ibn Qudāmah (d. 1223) concurs, writing “for a human being who is wrongly killed, it is obligatory to provide expiation for his killing as if he was a Muslim.”<sup>28</sup> Al-Miswar ibn Makhramah (*rḍa*) reported that during the period of ignorance, al-Mughīrah (*rḍa*) accompanied some people, killed them, and took their wealth. Then, he later embraced Islam. The Prophet ﷺ said, “As for your Islam, we have accepted it. As for the property, it is the wealth of treachery and we have no need for it.”<sup>29</sup>

<sup>23</sup> Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, 3:99, no. 3166.

<sup>24</sup> Abū Dāwūd, *Sunan Abī Dāwūd* (Sidon, Lebanon: al-Maktabah al-Aṣrīyah, 1980), 3:83, no. 2760; declared authentic (*ṣaḥīḥ*) by al-Albānī in the comments.

<sup>25</sup> Abū Dāwūd, *Sunan Abī Dāwūd*, 3:170, no. 3052; declared authentic (*ṣaḥīḥ*) by al-Albānī in the comments.

<sup>26</sup> Muḥammad ibn Yūsuf al-Mawwāq, *al-Tāj wa-al-iklīl li-mukhtaṣar Khalīl* (Beirut: Dār al-Kutub al-‘Ilmīyah, 1994), 4:601.

<sup>27</sup> Taqī al-Dīn ibn Taymīyah, *al-Ṣārim al-maslūl ‘alā shātim al-Rasūl* (KSA: al-Ḥaras al-Waṭanī al-Sa‘ūdī, 1983), 1:104.

<sup>28</sup> Muwaffāq al-Dīn ibn Qudāmah, *al-Mughnī li-Ibn Qudāmah* (Egypt: Maktabat al-Qāhirah, 1968), 8:513.

<sup>29</sup> Abū Dāwūd, *Sunan Abī Dāwūd*, 3:85, no. 2765; declared authentic (*ṣaḥīḥ*) by al-Albānī in the comments.

Al-‘Azīmābādī (d. 1911) commented on this tradition, writing, “A point of benefit is that it is not lawful to seize the wealth of an unbeliever deceptively in a condition of safety. Indeed, it is only lawful to do so against a warrior or combatant.”<sup>30</sup> Al-Mughīrah’s transgression against idolaters occurred before the Islamic legal system developed, yet the Prophet ﷺ condemned his deed. One might wonder why al-Mughīrah was not punished. To be sure, he had fully repented from his misdeed. Commentators note from other sources that the crime took place on the road to Egypt, far from the jurisdiction of Medina. It had also happened long ago in the past so, for practical reasons, legal prosecution may have been impossible. In any case, the key point here is that Muslims should not imagine they can kill or hurt ordinary people on the streets if their Islamic legal status is unclear. All human beings have the default protected status of immunity that is only nullified by law if they are convicted of a crime.

## Exclusive language, inclusive meaning

There are several traditions of the Prophet ﷺ in which he mentions “Muslims” or “believers” as worthy of protection or good behavior. Some Muslims might mistake his words as limiting the scope of his instructions, but a deeper analysis of his discourse reveals that his use of exclusive language often implied inclusive meanings. After all, the Prophet ﷺ spent much of his time preaching to an entirely Muslim audience, so his wording often reflected their specific needs.

The most obvious and widely-accepted examples of implied inclusiveness are texts that mention “men” or that use plurals in a grammatically male form. These texts also apply to women by default, unless there is evidence to the contrary.<sup>31</sup> In one tradition, ‘Uthmān ibn ‘Affān (*rḍa*) reports that the Prophet ﷺ said, “A Muslim man does not perform ablution in an excellent manner and then performs prayer, but that Allah will forgive him for what occurred between his prayer and the next.”

<sup>30</sup> Muḥammad Shams al-Ḥaqq al-‘Azīmābādī, *‘Awn al-Ma’būd: Sharḥ Sunan Abī Dāwūd* (Beirut: Dār al-Kutub al-‘Ilmīyah, 2009), 7:318, no. 2765.

<sup>31</sup> Jonathan Brown, "Do the Qur’an and Sunnah Speak More Often to Men than Women?" *Yaqeen Institute for Islamic Research*. November 20, 2020.

[yaqeeninstitute.org/jonathan-brown/do-the-quran-and-sunnah-speak-more-often-to-men-than-women](http://yaqeeninstitute.org/jonathan-brown/do-the-quran-and-sunnah-speak-more-often-to-men-than-women)

<sup>32</sup> Through a different chain of narrators, ‘Uthmān reports a similar tradition with this wording, “Whoever performs ablution like this ablution of mine and offers two cycles of prayer, without allowing his thoughts to stray, his previous sins will be forgiven.”<sup>33</sup> Although the first narration states the reward is for a “Muslim man,” the second says it applies to “whoever” does it. It is possible that, in the first instance, the Prophet ﷺ was speaking exclusively to a group of men and tailored his language accordingly. Nevertheless, scholars understood that when the Prophet ﷺ spoke about men, it usually included women. Ḥamd ibn Muḥammad al-Khaṭṭābī (d. 998) comments, “If the address is conveyed in the male grammatical form, it is also addressed to women, except for specific topics whose specification is established by evidence.”<sup>34</sup> In other words, when the Prophet ﷺ is speaking about men, it always includes women unless there is evidence that it does not apply to them. A similar dynamic can be detected when analyzing texts that appear exclusive to Muslims but that actually imply protected categories of non-Muslims are included as well.

As a comprehensive ethical principle, Muslims should love good for non-Muslims the same as they love it for themselves; that is, Muslims should have goodwill in general towards non-Muslims. The Prophet ﷺ said, “None of you have faith until he loves for his brother what he loves for himself.”<sup>35</sup> While this tradition uses the word “brother,” commonly interpreted as a Muslim brother or sister, other versions use broader language, “None of you have faith until he loves for people what he loves for himself, and until he loves a person only for the sake of Allah Almighty.”<sup>36</sup> Another narration uses the word “neighbor,” which includes Muslims and non-Muslims.<sup>37</sup> The word “brother” could be a stand-in for “neighbor” or “people” in general, or even the brotherhood of humanity, since every person has a common bond to every other person in the world by virtue of Adam and Eve. Ibn Ḥajar al-Haytamī (d. 1566) put forward this interpretation, writing, “It is apparent

<sup>32</sup> Muslim, *Ṣaḥīḥ Muslim*, 1:205, no. 227.

<sup>33</sup> Muslim, *Ṣaḥīḥ Muslim*, 1:204, no. 226.

<sup>34</sup> Ḥamd ibn Muḥammad al-Khaṭṭābī, *Ma‘ālim al-sunan: Sharḥ Sunan Abī Dāwūd* (Ḥalab: al-Maṭba‘ah al-‘Ilmīyah, 1932), 1:79.

<sup>35</sup> Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, 1:12, no. 13.

<sup>36</sup> Aḥmad ibn Ḥanbal, *Musnad al-Imām Aḥmad ibn Ḥanbal* (Beirut: Mu’assasat al-Risālah, 2001), 12:353, no. 13875; declared authentic (*ṣaḥīḥ*) by al-Arnā’ūt in the comments.

<sup>37</sup> Muslim, *Ṣaḥīḥ Muslim*, 1:67, no. 45.

that the expression ‘brother’ here is used in a general sense, as every Muslim should love for unbelievers to receive Islam and the virtues derived from it.”<sup>38</sup>

There is more evidence that the Prophet ﷺ used “brother” and “people” synonymously. On one occasion, the Prophet ﷺ was asked, “Whose practice of Islam is best?” The Prophet ﷺ replied, “One from whose tongue and hand Muslims are safe.”<sup>39</sup> Another companion recalls that the Prophet ﷺ answered the same question, saying, “One from whose tongue and hand people are safe.”<sup>40</sup> As we can see, the word “Muslims” is used in the first tradition with the implication that it applies to people in general; i.e., neighbors of Muslims and people with whom Muslims peacefully interact. The Prophet ﷺ likely varied his discourse based on the situation, sometimes speaking exclusively to a group of Muslims and other times speaking publicly in front of a mixed group. In fact, the Prophet ﷺ was asked the same question many times for which he gave slightly different answers. One scholarly explanation for this phenomenon, as recorded by al-Nawawī, is that “the answers were given as appropriate according to the variety of circumstances and individuals.”<sup>41</sup> Keeping this in mind, when we read expressions like “Muslims” and “believers” and “brothers” being used in prophetic discourse, it is possible that he only happened to be speaking to a group of Muslims at the time; even so, the general moral lesson contained in these traditions often applies similarly to non-Muslims who are peacefully living with Muslims as neighbors.

One issue for which the scholars explicitly included protected non-Muslims is the prohibition of backbiting. Allah said, “Do not spy on each other or backbite each other. Would one of you like to eat the flesh of his dead brother? You would hate it, so fear Allah. Verily, Allah is Relenting and Merciful.”<sup>42</sup> The verse says “brother” but the principle extended beyond Muslim circles. If a non-Muslim had peaceful relations with Muslims, their lives, property, and reputations were

<sup>38</sup> Ibn Ḥajar al-Haytamī, *al-Fath al-mubīn bi-sharḥ al-arbaʿīn* (Jeddah: Dār al-Minhāj, 2008), 1:305.

<sup>39</sup> Al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, 1:11, no. 11.

<sup>40</sup> Aḥmad ibn Ḥanbal, *Musnad al-Imām Aḥmad*, 11:366, no. 6754; declared authentic (*ṣaḥīḥ*) by al-Arnāʾūt in the comments.

<sup>41</sup> Al-Nawawī, *Sharḥ al-Nawawī ‘alá Ṣaḥīḥ Muslim*, 2:77.

<sup>42</sup> Qurʾān 49:12.

considered as sacred as those of Muslims. Ibn Ḥajar al-Haytamī writes, “As for the *Dhimmī*, he is like the Muslim in regards to the prohibition of harm, as the divine law has made his reputation, life, and property inviolable... The correct opinion is that it is forbidden to backbite a *Dhimmī*.”<sup>43</sup> Instead of backbiting such non-Muslims, Zakarīyā al-Anṣārī (d. 1520) considered it an obligation to show them goodwill, “Backbiting an unbeliever is forbidden if he is under protection... Rather, it is an obligation to offer sincere advice to others and to warn them from evil.”<sup>44</sup> Ibn al-Humām (d. 1457) even chastises troublemakers among the Muslims who, in his time, would break these rules, “It is established in the rulings of a *Dhimmī* and his rights... that it is obligatory to refrain from harming him and it is forbidden to backbite him, just as it is forbidden to backbite a Muslim, unlike what is done by fools who unjustly and with hostility slap him or insult him in the marketplace.”<sup>45</sup> Ibn ‘Ābidīn (d. 1836), commenting on the words of Al-Ḥaṣkafī, likewise affirms this principle:

If one becomes a *Dhimmī*... it is obligatory to refrain from harming him and it is forbidden to backbite him, as it is for a Muslim, because of the covenant of protection. He is entitled to our wealth [in charity or welfare] and if it is forbidden to backbite a Muslim, it is also forbidden to backbite him. Rather, some scholars said that wronging a *Dhimmī* is even worse.<sup>46</sup>

Cursing a protected non-Muslim is also considered a sin, even liable for punishment by authorities. Al-Buhūtī (d. 1051) writes, “Whoever curses a *Dhimmī* by name should be disciplined, as his reputation is inviolable and forbidden (to harm).”<sup>47</sup> According to a legal opinion recorded by al-Ḥaṣkafī, addressing non-Muslims with names they find insulting is unwarranted and could be punishable as well, “A Muslim who insults a *Dhimmī* is given discretionary punishment, as he has committed a sin.”<sup>48</sup> Berating non-Muslims, even when

<sup>43</sup> Ibn Ḥajar al-Haytamī, *al-Zawājir ‘an iqtirāf al-kabā’ir* (Beirut: Dār al-Fikr, 1987), 2:27.

<sup>44</sup> Zakarīyā ibn Muḥammad al-Anṣārī, *Asnā al-maṭālib fī sharḥ Rawḍ al-Tālib* (Egypt: al-Maṭba‘ah al-Maymanīyah, 1895), 3:117.

<sup>45</sup> Muḥammad ibn ‘Abd al-Wāḥid ibn al-Humām, *Fath al-Qadīr* (Beirut: Dār al-Fikr, 1991), 6:24.

<sup>46</sup> Ibn ‘Ābidīn, *al-Durr al-mukhtār ḥāshiyat Ibn ‘Ābidīn* (Beirut: Dār al-Fikr, 1992), 4:169–71.

<sup>47</sup> Maṣṣūr ibn Yūnus al-Buhūtī, *Kashshāf al-qinā’ ‘an matn al-Iqnā’* (Beirut: Dār al-Kutub al-‘Ilmiyah, 1983), 6:125–26.

<sup>48</sup> Ibn ‘Ābidīn, *al-Durr al-mukhtār ḥāshiyat Ibn ‘Ābidīn*, 4:76.

apparently justified, may turn them away from guidance and prove counterproductive. Rather, Allah commanded us to share Islam with non-Muslims in the best manner, “Call to the way of your Lord with wisdom and beautiful preaching.”<sup>49</sup> Another important point of consideration is that violating the Muslims’ peace with non-Muslims is actually an indirect attack on Muslims, since it invites reciprocation, as Allah said, “Do not insult those whom they call upon besides Allah, lest they insult Allah in enmity without knowledge.”<sup>50</sup>

Some scholars extended the protection of non-Muslims to their economic activity, such that it is impermissible to undercut them as it is for Muslims. The Prophet صلى الله عليه وسلم said, “A man may not undermine the transactions of his brother.”<sup>51</sup> Again, the word “brother” here is used as a stand-in for neighbors as well as protected non-Muslims. The Azharī scholar Sulaymān ibn ‘Umar al-Jamal (d. 1790) commented on this tradition, writing, “The non-Muslim citizen (*dhimmī*), the non-Muslim in a peace treaty (*mu’āhid*), and the non-Muslim granted immunity (*musta’min*) are all like the Muslim in this regard, excluding the combatant and renegade apostate.”<sup>52</sup> Only dangerous groups of non-Muslims, like enemy soldiers or traitorous rebels, are not entitled to this basic protection on account of their violent activities.

The covenant of protection for a non-Muslim was not simply a negative right to be unharmed, but also included a positive right to welfare. The Prophet صلى الله عليه وسلم said, “He is not a believer whose stomach is filled while the neighbor to his side goes hungry.”<sup>53</sup> Al-Ghazālī asserts that it is a duty upon us to help our non-Muslim neighbors who are in need, “One must be gentle, charitable, and behave with good conduct... al-Ḥasan saw no harm in feeding Jewish and Christian neighbors from your slaughtered animals.”<sup>54</sup> As implied by al-Kharā’iṭī, who recorded the original statement of al-Ḥasan al-Baṣrī (d. 728), seeing nothing wrong with giving to non-Muslim neighbors indicates a positive command to adhere to good

<sup>49</sup> Qur’ān 16:125.

<sup>50</sup> Qur’ān 6:108.

<sup>51</sup> Muslim, *Ṣaḥīḥ Muslim*, 2:1029, no. 1408.

<sup>52</sup> Sulaymān ibn ‘Umar al-Jamal, *Ḥāshiyat al-Jamal ‘alā sharḥ al-Manhaj* (Beirut: Dār al-Fikr, 1990), 3:90.

<sup>53</sup> Al-Bayhaqī, *al-Sunan al-kubrā* (Beirut: Dār al-Kutub al-‘Ilmiyah, 2003), 10:5, no. 19668; declared authentic (*ṣaḥīḥ*) by al-Albānī in *Ṣaḥīḥ al-Jāmi’*, 2:949, no. 5382.

<sup>54</sup> Al-Ghazālī, *Iḥyā’ ‘ulūm al-dīn*, 2:213–14.

neighborliness (*ḥusn al-mujāwaratīhi*).<sup>55</sup> In one incident to illustrate this point, the second righteous Caliph ‘Umar ibn al-Khaṭṭāb (*rḍa*) found an elderly Jewish man begging for charity so that he could pay his taxes. ‘Umar said, “By Allah, we have not been fair to him that we have eaten ourselves and then abandoned him in old age! ‘Verily, charity is only for the poor and the needy.’<sup>56</sup> The poor are the Muslims and this man is among the needy from the people of the Book.” ‘Umar then exempted the man from paying taxes and gave him charity out of the public treasury.<sup>57</sup> This story demonstrates that Muslims should have basic compassion and empathy with non-Muslims on a human level, regardless of their personal religious beliefs, as the Prophet ﷺ commanded us, “Be merciful to those on the earth and the One in the heavens will have mercy upon you.”<sup>58</sup>

## Conclusion

The Prophet ﷺ spoke to diverse groups of people throughout his life, using general and specific terms synonymously to articulate his message for the present audience. Sometimes he would speak to and for Muslims, while other times to mixed groups or to humanity as a whole. If a statement authentically attributed to the Prophet ﷺ uses exclusive language such as “brother” or “Muslim,” this does not necessitate limiting the rule to Muslims only. On the contrary, protected non-Muslims are morally and legally equal to Muslims in many important ways. The real differences that do exist between us, such as in religious funeral rites, marriage, dietary laws, and so on, are confirmed on the basis of explicit evidence from the Qur’an and Sunnah.

Furthermore, Islam's teachings of kindness and benevolence were never restricted to Muslims, as is affirmed in the Prophet's ﷺ Sunnah, the lives of his companions, and the writings of our great scholars. Taking care not to harm innocent people and encouraging the good treatment of neighbors, regardless of their religion, are other well-established Qur'anic mandates. Similar to the

<sup>55</sup> Muḥammad ibn Ja‘far al-Kharā‘iṭī, *Makārim al-akhlāq* (Cairo: Dār al-Āfāq al-‘Arabīyah, 1999), 1:87.

<sup>56</sup> Qur’ān 9:60.

<sup>57</sup> Ya‘qūb Abū Yūsuf, *Kitāb al-kharāj* (Cairo: al-Maktabah al-Azharīyah lil-Turāth, 1999), 1:139.

<sup>58</sup> Al-Tirmidhī, *Sunan al-Tirmidhī*, 3:388, no. 1924; declared authentic (*ṣaḥīḥ*) by al-Tirmidhī in the comments.

protections provided to Muslims, Islam also provides protection by law and morality for peaceful non-Muslims in regards to their person, property, and reputation.

*Success comes from Allah, and Allah knows best.*