

Islamic Governance and Inclusive Harmony: A Study of Minority Rights and Justice

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Abstract

This paper explores the complex issue of social equality in Islamic states, with special focus on the role of minority rights in building peaceful and inclusive societies. Drawing on Islamic teachings, the study examines how different identities can coexist within a single social framework while maintaining justice and harmony. It engages with the ideas of scholars such as Abdul Aziz Sachedina, Beyza Tekin, and Abdullah Saeed, who have written extensively on justice, inclusion, and minority rights in Islam. The concept of "inclusive harmony" is presented as a social balance in which minority rights are not seen as favors, but as a natural and essential part of a just society. Using legal, philosophical, and sociological perspectives, the research analyzes laws, policies, and social attitudes in Islamic countries. Insights from Abdullah Ahmed An-Na'im on Islam and the secular state further help explain the challenges and possibilities of applying Islamic principles in modern governance. Overall, the study aims to offer a balanced understanding of diversity, justice, and inclusivity in Islamic societies.

Key Words: *Inclusivity, Harmony, social equality, Islamic State, justice*

INTRODUCTION:

Background Study:

The relationship between minority privileges and inclusive harmony has emerged as a key topic in recent debates about the idea of social equality in Islamic states. The title "Inclusive Harmony: Examining Genuine Social Equality Through Minority Privileges in the Islamic" sums up this study, which explores the factors that support the development of a more egalitarian society in the framework of Islamic states. The search for social equality in Islamic states has acquired importance in the context of contemporary global discussions about human rights and diversity. Islam upholds justice, compassion, and equality as principles of the faith, setting the stage for an inquiry into policies and practices affecting minority populations. Scholars like Abdul Aziz Sachedina have emphasized the significance of justice and fairness in the Islamic tradition, promoting an inclusive understanding that includes the rights of all citizens irrespective of their religious or ethnic background.

The concept of minority privileges as a path towards social equality has been addressed in academic papers like "Minorities and Nationalism in Turkish Law" by Beyza Tekin. This research addresses the place of legal frameworks in balancing the rights and privileges of minority groups, with implications for understanding the complex balance necessary to provide room for diverse identities in an integrated state structure. With reference to this viewpoint, the study explores how the idea of minority privileges squares with overall pre-existing principles of social equality in Islamic governments. Moreover, the idea of "Inclusive Harmony" encompasses a comprehensive attitude towards achieving coexistence in society, whereby minorities' rights are not just endured but embraced fully as part of a harmonized social fabric. The title corresponds with authors such as Abdullah Saeed's "Islamic Thought: An Introduction," where diverse intellectual traditions among Muslims, as well as promoting inclusivity and social justice, are discussed. The study will examine prevailing policies, legislation, and societal norms in Islamic countries, basing itself on publications such as "Islam and the Secular State" by Abdullah Ahmed An-Na'im, which addresses the dilemma and prospects of balancing Islamic values with requirements of contemporary governance. Through an exploration of the confluence of minority privileges and authentic social equality, the research hopes to contribute to a more complex analysis of the way Islamic governments deal with diversity and maintain justice and inclusiveness principles.

In essence, this study ventures into the unraveling of layers of "Inclusive Harmony, Shedding light on the means through which minority privileges can be instrumental in attaining true social equality within the framework of Islamic states. By means of a multidisciplinary analysis that brings together legal, philosophical, and sociological insights, the research aims to offer useful insights into the dynamics of inclusivity and justice in plural societies formed by Islamic principles

Islamic State and the contemporary misunderstanding

In current religious and political narratives around globe particularly in western nations the ideology of Islamic state is viewed in a negative context because of announcement of Islamic state by Abu Baker al Baghdadi in Syria and Iraq. Al- Baghdadi's Islamic state which is known as ISIS or ISIL is essentially different from the ideological Islamic state founded by Prophet Muhammad ﷺ at Medina which is a true model of the concept of Islamic state in Quran based on universal brotherhood, equality, social justice, love, toleration, basic liberalities of individuals, human dignity and welfare. It was led by Godly shariah in the form of Hadith and Quran. Unique difference between the Islamic state of Medina and that which was declared by Dayesh (Abu Baker al Baghdadi) is that ISIS has been a result of state failure, civil war and oppression of Sunnis by Shiite governments of Nouri al-Maliki in Iraq and by the brutality of the regime of Bashar al Asad against its own citizens. (Schmid, 2015) Thus, in a way it is the psychological human response to atrocities experienced by them as ISIS is founded on fundamentalism, religious intolerance and self-imposed system. Conversely the validity of the institution of actual Islamic caliphate established at Madinah by Prophet ﷺ and Rightly guided Caliphs is primarily rooted in three fundamental principles like Shura (mutual consultations), and (ruler-ruled contract) and Bayah (oath of allegiance). (Kamil, 1993). Al-Baghdadi's ISIS lacks all these principles, so it is wrong to understand concept of Islamic state in context of ISIS, which is actually not Islamic. Social justice, integrity and fraternity were the integral components of Islamic state of Madinah.

Social justice is a multidimensional term and has been used in various perspectives by different writers. However, primarily concept of social justice describes an egalitarian society founded on the values of equality and solidarity, which believes and supports human rights and asserts the dignity of all human beings (Zajda, Majhanorich & Rust, 2006). Social injustice plagued man's life in the past, and still does so today. It occurred under radical socialist governments and other non-socialist governments as well that the person is deprived of his liberty and dignity just because he does not possess a specific skin color or is not a member of a specific race, or is not born of a specific class or adheres to a specific creed. (Yamani, 2002). Great philosopher such as Plato also contended in his republic that a perfect state is based on four virtues; wisdom, justice, courage and moderation. (Zajda, Majhanorich & Rust, 2006).

This paper is an attempt to examine the concept of social justice in Islamic state, which is a state based on ideology, and is therefore fundamentally different from a national state (Shahid, 2005). And will also discuss rights, privileges and status of non-Muslim minorities in an Islamic state. The political structure of Islam as described by Hammuda, A. is different from others in structure, function, and purpose. It is neither pragmatic nor instrumentalist. Nor is it theocracy where a specific group of people exercises divine rights, hereditary or otherwise, and assumes, above all other citizens, beyond accountability. Neither is it a proletariat in which through some vengeful workers seize power. It is not even democracy in the conventional sense. It is something other than all that. To understand the political perspective of Islam one should be aware that it is founded on the following principles: 1. Sovereignty of the Islamic state does not rest with the ruler or even with the people themselves. It is the property of Allah "Almighty" and the people in general exercise it by trust from Him to impose His law and implement his will. The people obey them as per the law of Allah. This is the basis of Islamic state and is only in harmony with the general attitude of Islam towards the Universe of which Allah is the creator and in which He is the sole Sovereign. (Muhammad, 2015).

Concept of social justice in Islam

In the words of Ahmad Zaki Yamani the Islamic idea of social justice is comprised of equal opportunities but not equal earnings to the masses so that they can develop their potential to the fullest.(Yamani, 2002). In the opinion of Tariq Ramadan social justice does not include equality and dignity alone but it is all about well-being too. As per him, "it's not the state of affairs but an ideal." It's a constant battle. We are not going to be handed social justice. It will never be perfect. Absolute justice belongs to God, this is for Him. For us, it is attempting to do as much as we can, attempting to achieve relative justice. In fact, we are not fighting for an outcome, we are fighting to change and our aim in doing so is change and does as much as possible. It is more of a target we are working with".(Ramadan, 2010). Same opinion is expressed by Amina Wadud that "justice is not simply what we

humans determine to be right, just and equitable". It is an existential part of humanity; codified, enacted and safeguarded perhaps by human organizations and institutions, but not conferred upon them originally. (Wadud, 1995-96). Social justice is usually referred to economic justice or fair distribution of economic responsibilities and benefits. Yet, in a wider sense, it implies something more than exclusively economic justice does. It signifies 'to promote and develop, in and through association, the fullest development of all human powers in all its members and this goal is justice or right ordering of such a society.' Islam unifies social and legal justice by its moral instruction and legislation. (Hasan, 1971). Therefore it can be said that the intrinsic aim of the Islamic method is to balance between the interest of the individual and that of society. Islam allows the interest of society to dominate the interest of the individual only in such exceptional situations when it is not possible to merge it with the interest of society. (Yamani, 2002). Islam seeks social justice through moral teachings rather than legislation as done by Prophet ﷺ at Medina. Rather than attempting so many systems by the world like socialism, capitalism, communism etc, manhate towards man continue to haunt humanity. History attests that how the vision of equality and justice became a reality during the period of Prophet ﷺ and the first caliphs and occasionally after that (Yamani, 2002).

Psychological dimension of social justice

Describing here the psychological aspect of social justice is highly important in the sense that the United Nations initiated new standards and the measurement scale on which the progress of a society is quantified such as the human development index. In their view well-being and how one feels within the society is interrelated. We must declare social justice is also concerned with this: brotherhood and communication. (Ramadan, 2010). Social justice is not merely equality and about dignity but it has to be about "well-being" too, according to Professor Dr. Tariq Ramadan. He maintains that if a person, rather than having money, wealth and all the amenities of life, remains bad inside otherwise depressed and peace-less, then something is amiss perhaps "well-being" there is a sense of injustice inside and one's heart is not at ease. (Ramadan, 2010). This aspect of social justice has been linked with humans' psyche. Depressing was considered as one of the foremost symptoms of being mentally ill by psychologists. Depression results in negative self-thoughts, inferiority complex feelings, loss of confidence, lack of interest, cannot make a proper decision etc. (Williams, n.d). Hence, for Muslims, this aspect of welfare is important. Social justice is the state of peace, which we desire in individuals, in us and among our society. (Ramadan, 2010). In the current situation, more nations whose GDP is highly developed possess low human development index's happiness ranking. In other words, it can be expressed that they do not deal with the third aspect of social justice i.e. "well-being" in actual perspective. Social equality is also psychologically highly significant to grasp because it fosters in individuals the feeling of We feeling, thus encourages national integration and fraternity.

Concept of Dhimmah (universal perspective)

The Islamic political system concept is significant for being elastic in providing space for personal ideas, it is this quality that allowed the Muslim thinkers to form their opinions into theories. Thus, the alternative method to political theories led to the establishment of political schools of thought to which various thinkers belong. (Muhammad, 2015). In early Arabic literature, the term "Dhimmah" was employed in various senses of both positive and negative way like for sanctity (Hurmah), protection (Aman), unworthy (Madhum) and incapability. (Ayoub, 1983). Quran, on the other hand, utilized it in a very limited and specific sense. It is utilized to define the relation of humanity to God and man's obligation in this relation. (Ayoub, 1983). Senturk states that, "In classical Islamic jurisprudence, the term dhimmah means accountability and inviolability, which is otherwise referred to as personhood in contemporary legal terminology. Moral, religious, and legal accountability entails being in possession of dhimmah (personhood). When one possesses dhimmah (personhood), one is capable of bearing responsibilities and rights. Dhimmah makes human beings distinct from animals since humans are accountable for their actions."

Possessing dhimmah is therefore a right that qualifies one to be a complete member of society. Being answerable to the law is a requirement for membership in society, and this is accompanied by a right to absolute inviolability." (Basic, 2017). Senturk states that "Dhimmah is also generally known as 'protection,' 'treaty' (ahd), and 'peace' (Sulh, more correctly truce), because it is a treaty that places non-Muslims under the protection of Muslims." Therefore, 'this is in his dhimmah' implies that an individual is responsible to the law or under its protection. This responsibility could be founded upon a written covenant or a generic law. Islamic jurisprudence prescribes that dhimmah is that which renders an individual liable for the outcome of his actions, since he has personhood, others can hold him accountable for his actions and ask him to complete his responsibilities which are their rights. But it is universally agreed that 'one's dhimmah is originally clear of charges' (al-Asl fi al-dhimmah al-bara'ah) except if a charge is established beyond any doubt by proof. This principle is understood as "one is

innocent unless proven guilty." "This question has divided Muslim jurists. Some have averred that dhimmah is an innateness and that human beings possess dhimmah after they have been conceived by virtue of being human. Others have argued that dhimmah is an acquired right and that human beings acquire it by virtue of their being members of a community.". Universalist group opines that human beings, whether from majority or the minority, are entitled to rights by their very humanity. Therefore advocates equal rights for all human beings irrespective of their birth and inherent qualities like class, race, colour, language, religion, and ethnicity. This view was first articulated by Abu Hanifa (699-767 C.E.) in the following maxim: Inviolability is owed to all human beings on account of their human. The non-Muslim person who is entitled to "personhood" is referred to as dhimmi, and their group as a whole is referred to as ahl al-dhimmah, literally 'people with accountability and inviolability. (Basic, 2017). Otherwise put, according to universalistic school, non-Muslims are as equal as other people in benefiting from the right of personhood and that they recognize their responsibility (dammah). No distinction exists between Muslims and non-Muslims insofar as human rights are involved. (Basic, 2017).

Rights and status of minorities in the Islamic state

The objective of the Islamic state is to dispense justice and ensure security and protection for all citizens, irrespective of colour or race or creed, in accordance with the provisions of Allah in His constitution, the Qur'an, The issue of religious or racial minorities does not arise as long as they are law-abiding and peaceful citizens. (Muhammad, 2015). Islam identified fundamental human rights as the first and nearly centuries ago it established "guarantees and safeguards" which have now been included in universal declaration of human rights. (Traer, 1989). Minorities are living with dignity and with such a status in an Islamic state which no other minorities are enjoying under any other law. Minorities, from the Islamist viewpoint, are 'non-Muslims' who still remain subject to Islamic domination based on a pact that enables them to remain their faith but one which controls their rights and responsibilities and other factors of their affairs with the Muslim community and the Islamic government. The names Islamists usually use to address minorities are ghayr al-muslimin (non-Muslims), al-mukhalifin fi al-din (the others in religion), and ahl al-dhimma (protected people), the latter being a privilege accorded to them because of their adherence to Islamic authority and guardianship. The conferment of 'protected people' status depends on an agreement between the Muslim ruler and the non-Muslims who are willing to submit to Islamic authority. They are granted 'citizenship', protection of life, dignity, and property, and freedom of religion, and in exchange, they must pay special taxes, submit to Islamic civil law, and be respectful of the sensibilities and beliefs of their Muslim protectors. (Furman, 2000). Certain of the general rights enjoyed by minorities in an Islamic state are as:

Right to life and dignity

Preservation of life, honour and property of Ahl-ul- dammah within an Islamic state is the responsibility of Khalifah (Islamic government). Islam alone teaches the true gospel of human life. Islam considers human life extremely valuable, orders its followers to respect and protect lives and dignity of each and every human being irrespective of it belonging to your community or otherwise. (Hassan, 1982) The dignity and intrinsic value of human life is maintained by the Qurān where it says; "take not life, which Hadith made sacred, except by way of justice and law". (Al-Quran 6:151). In yet another Quranic verse it is ordained, "we ordained for the children of Israel that if any one slew a person- unless it be for murder or for spreading mischief in the land –it would be as if he slew the whole people and if any one saved a life, it would be as if he saved the life of the whole people". (Al-Quran 5:32). Thus, Qurān illustrates graphically that essentially the life of every person is akin to that of entire community and thus must be handled with utmost caution. (Hassan, 1982). The dignity and respect of human life has been described by Qurān in such a manner, "we have indeed created man in the best of moulds" and in the following verse, "then do we abase him (to be) the lowest of the low". (Al-Quran 95: 4-5). Therefore, it is the religious obligation of Muslims to uphold the honor and dignity of fellow human beings just because he is human and God has bestowed upon him such rights. Islamic history abounds with instances and events that bear testimony to the assertions of Muslims regarding just and honorable treatment accorded to non-Muslim minorities under Islamic law.

Right to freedom of religion and thought

Non-Muslims in an Islamic state enjoy full freedom of belief and are allowed to practice their religion and worship according to their traditions. (Muhammad,2015). Islam forbids Muslims from insulting other religions or their religious leaders and has historically protected non-Muslim places of worship. While religious freedom is guaranteed, it should not threaten public order or state security. (Yousif,2010). Non-Muslims are expected to

respect Muslim sensitivities in public. Their worship places may be built or restored where conditions allow, especially in areas where they form a majority.(Furman,2000).

Right to earn livelihood

In an Islamic state, non-Muslim minorities have the same right as Muslims to work and earn a livelihood. They are free to engage in most commercial activities such as trade, leasing, and professions, with some restrictions like riba and certain prohibited goods. Islamic history shows that Dhimmis worked successfully in many fields, becoming prominent bankers, physicians, scholars, and advisors, enjoying economic stability and social recognition. (Muhammad, 2015).

Cultural and educational Rights

Non-Muslims are required to follow the national education system set by the state, but they remain free to raise and educate their children according to their own religious beliefs. (Muhammad, 2015). They may preserve their languages and customs, run their own educational institutions, hold religious activities, receive missionaries, and ensure that their children follow their family's religion, even in exceptional situations. (Yusif, 2010).

Right to freedom

Basharat Ahmad explains that the Holy Qur'an was the first scripture to strongly promote the idea of human freedom, awakening humanity from long-standing oppression. The Qur'an supports the idea expressed by Jean Jacques Rousseau that human beings are born free but are often restricted by social systems. A major concern of the Qur'an is to free people from various forms of bondage such as blind traditionalism, authoritarian control in religion, politics, and economy, as well as tribalism, racism, sexism, and slavery. At the same time, the Qur'an recognizes that absolute freedom belongs only to God, and human freedom must operate within moral limits so that it does not turn into misuse or chaos. Aware of humanity's tendency toward dictatorship and despotism, the Qur'an clearly states that no human being, even a prophet, has the right to demand obedience over God's commands. Instead, people are encouraged to serve God faithfully through continuous learning and teaching of his guidance. (Yousif, 2010). Islamic law fully denies any form of injustice within society. History bears testimony to this fact. There are different other rights which minorities enjoyed within an Islamic state.

Conclusion

From this discussion, it is clear that Islam grants legal rights, dignity, and protection to religious minorities, allowing them to live peacefully. An Islamic state is based on justice, balanced freedoms, and social responsibility. It aims to ensure security and fairness for all citizens, correcting misunderstandings about minority status and promoting true social justice. This study highlights the importance of understanding minority rights and adopting context-based approaches to achieve true inclusivity. Recognizing minority experiences within the Islamic framework helps build diverse, fair, and peaceful societies. The research stresses that inclusivity and equal opportunities are essential for justice, social harmony, and a future where everyone can grow and contribute equally.

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