

The Paradigm Of Islamic Jurisprudence On Minority In A Democratic State Concept

Ahmad Sadzali

*Faculty of Law, Universitas Islam Indonesia, Yogyakarta, Indonesia,
sadzali@uii.ac.id, ORCID ID 0000-0002-2458-9804*

Abstract. Countries with a Muslim majority, like Indonesia, for example, should understand how to treat minority groups, especially those of different religions, so as not to fall into intolerance. The steps can be started from understanding the Islamic paradigm in viewing the concept of minorities. This article reviews Islam's perspective on minorities, and how the majority should treat minorities. The Islamic perspective is different from the Western perspective towards minorities. In Islam, minorities have the same position as the majority. The majority do not have any privileges, so they must treat minorities well and not discriminate. The basic principle of ummah wahidah can be used as a basis for relations between the majority and minorities.

Keywords: Minority, Non-Muslim, Majority, Islamic Jurisprudence, Democracy

Abstrak. Negara yang mayoritas penduduknya beragama Islam, seperti Indonesia misalnya, hendaknya memahami cara memperlakukan kelompok minoritas, terutama yang berbeda agama, agar tidak terjerumus ke dalam intoleransi. Langkahnya bisa dimulai dari memahami paradigma Islam dalam memandang konsep minoritas. Artikel ini mengulas perspektif Islam terhadap minoritas, dan bagaimana seharusnya kelompok mayoritas memperlakukan minoritas. Perspektif Islam berbeda dengan perspektif Barat terhadap kelompok minoritas. Dalam Islam, minoritas mempunyai kedudukan yang sama dengan mayoritas. Kelompok mayoritas tidak mempunyai keistimewaan sehingga harus memperlakukan kelompok minoritas dengan baik dan tidak melakukan diskriminasi. Prinsip dasar ummah wahidah dapat dijadikan landasan hubungan antara mayoritas dan minoritas.

Kata Kunci: Minoritas, Non-Muslim, Mayoritas, Fikih Islam, Demokrasi

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INTRODUCTION

One of the problems that is still a challenge in national and state life today is the issue of tolerance. Not only Indonesia, but various other countries are also experiencing the same thing. Even in countries that claim to be democracies, they are not free from the problem of tolerance. The most recent example of this phenomenon comes from the United States, which has experienced cases of racism.¹ The fundamental issue is of course about tolerance.

One of the problems of intolerance cannot be separated from the existence of a dominant power controlled by the majority group. Generally, the majority group feels superior and has privileges compared to minorities. This feeling also gives rise to the perception that the majority group has power over the minority group. So that minority groups become vulnerable groups that have the potential to experience acts of intolerance.

According to the author, it is very important to study the relations between the majority and minorities. In fact, the problem of intolerance has entered the realm of paradigm or perspective. So, a paradigmatic approach in studying majority and minority relations must also be put forward. And one of the author's offers in this paper is a study of majority and minority relations from a jurisprudence perspective. Or in other words it is called Minority Jurisprudence studies.

In contemporary jurisprudence studies, two sides of the study of Islamic Jurisprudence on minority have developed. The first side of Islamic Jurisprudence on minority is the Muslim minority. This side can be seen from the writings of Yusuf al-Qardhawi in his books *Fi Fiqh al-Aqalliyat al-Muslimah* and *al-Aqalliyat al-Diniyah wa al-Hal al-Islamiy*. In his book *Fi Fiqh al-Aqalliyat al-Muslimah*, Yusuf al-Qardhawi discusses the Muslim minority who live in the midst of a majority non-Muslim community. The book was written in order to answer the problems faced by Muslim minorities living

¹ Around May to June 2020, there was a wave of demonstrations against racism and the murder of a black man named George Floyd carried out by United States police officers. This demonstration even spread and resulted in destruction and looting for several days. In fact, demonstrations were not only held in the United States, but also in several other countries. See: [bbc.com: Death of George Floyd, Simple Questions that reveal racism in the United States](https://www.bbc.com/news/health-55811111).

among non-Muslim majorities, such as in Western countries today.² Meanwhile, in the book *al-Aqalliyat al-Diniyah wa al-Hal al-Islamiy*, Yusuf al-Qardhawi discusses how non-Muslim minorities live among the majority of Muslims. However, Yusuf al-Qardhawi here focuses more on studying how Islam provides solutions to the problems of non-Muslim minorities living among the Muslim majority. Apart from that, he also tried to answer the oblique accusations (*syubhat*) leveled at Islam regarding the treatment of religious minorities.³

The second side of Islamic Jurisprudence on minorities is the non-Muslim minority. This second side can be seen in Muhammad Imarah's writings in his book entitled *al-Islam wa al-Aqalliyat: al-Madhi, wa al-Hadhir, wa al-Mustaqbal*.⁴ This second side is the focus of this article. The aim is to explore the Islamic paradigm towards minority groups, especially considering that Indonesia is a country with a majority Muslim population.

METHODOLOGY

The research is normative-doctrinal research through literature review. The data used in this research is secondary data taken from various literature related to the research topic.

RESULT AND DISCUSSION

Background of Islamic Jurisprudence on Minority

Starting from the emergence and development of Islamophobia in Western countries, Islamophobia causes the existence of this Muslim minority to become increasingly cornered, one of which is caused by information and issues about Islam that are not true. However, as Muslims, they must always obey Allah and His Messenger. They

² Yusuf al-Qardhawi, *Fi Fiqh Al-Aqalliyat al-Muslimah: Hayatu al-Muslimin Wasatha al-Mujtama'at al-Ukbra* (Kairo: Dar al-Syuruq, 2001), 5.

³ Yusuf al-Qardhawi, *Al-Aqalliyat al-Diniyah Wa al-Hal al-Islamiy*, Pertama (Kairo: Maktabah Wahbah, 1996), 6.

⁴ Muhammad Imarah, *Al-Islam Wa al-Aqalliyat: Al-Madhi, Wa al-Hadhir, Wa al-Mustaqbal*, Pertama (Kairo: Maktabah al-Syuruq al-Dauliyah, 2003).

have to endure the consequences of being Muslims. So, this is where the position and spirit of minority jurisprudence emerged. It is only natural that some people then conclude that the presence of minority jurisprudence stems from the accumulated anxiety of Muslim minorities in the West when they have to do something related to their religion. Some say that classical jurisprudence is no longer able to solve the various problems currently faced by Muslims in Western countries, therefore Islamic Jurisprudence on minority emerged as a response to these problems.⁵ This is a review from the perspective of Muslims as a minority living in Western countries today.

However, if you look at it the other way around, the minority are non-Muslims and the majority are Muslims, then Islamic Jurisprudence on minority is used in the context of how Muslims treat non-Muslims. In this dimension, Islamic Jurisprudence on minorities establishes principles about how Muslims should treat non-Muslims as minorities living among them. These principles regarding treating non-Muslims among Muslims have a very strong philosophical and normative basis from Al-Quran and Sunnah. More than that, historically, even the Messenger of Allah has set an exemplary example in its implementation.

The Term "Minority" in Islamic Perspective

The term "minority" which is often used in culture and society in modern/contemporary times is an imported term from Western thought. The term "minority" comes from Western thought to comment on cultural and social events that occur in the Islamic and Eastern world. Since the relationship between Islamic civilization and Western civilization. In the framework of Western thought, the term "minority" has various meanings contained in it - such as racism, ethnicity, and tribalism - which are commonly used in Western society. In the West, the term "minority" is used to indicate: a group of people who consider themselves or are considered by others to be part of some special characteristics that are different from

⁵ Muhammad Imarah, 308–9.

many other groups in a society, but are able to develop with those special characteristics.⁶

The term "minority" in Western thought does not only refer to or be measured by quantity, and also does not only refer to political minorities. However, the term "minority" in the West refers to a cultural identity that is different from the majority cultural identity that lives together, and that cultural identity develops in a special way or is different from the majority cultural identity.

The use of the Western-style term "minority" has subsequently drawn criticism and rejection. Rejection is not only from Muslims but also from Coptic Christians in Egypt. This is what al-Anba Musa, bishop of the Egyptian Orthodox Church, said:

“We as Copts do not feel that we are a minority, because there are no ethnic and tribal differences between us and Muslims. Because, we are all Egyptians, flowing in our bodies is the same blood from the time of the Pharaohs and from the Arab identity side. And we live as Arabs because of our cultural identity, and Islamic culture is the one that leads (dominates) today. ... We are just a quantity minority. And this does not make us feel that there is a rift between us and our Muslim brothers.”⁷

The very important thing that needs to be remembered and emphasized here is that the classical Islamic treasures - whether religion, civilization, history or language - never recognized and used the term "minority" in the style of Western thought and civilization. Classical Islamic treasures only recognize the term "minority" in terms of number, or only referring to quantity. So, what is known and recognized is only a quantity minority, not an identity minority as in Western thought and civilization. A quantity minority is precisely used as the opposite of a quantity majority.

Nevertheless, between the quantity minority and the quantity majority, there are no differences or privileges from each other. This does not mean that the majority is always better and superior. In fact, in the Quran, many verses give stigma and negative connotations to the majority.

⁶ Muhammad Imarah, 7.

⁷ Sa'dudin Ibrahim, *Al-Milal Wa al-Nihal Wa al-A'raf* (Kairo, n.d.), 529–34.

Surah al-Hadid verse 16 Allah states which means: *"...And most of them are wicked people"*; Surah Hud verse 17: *"...Verily (the Quran) is truly from your Lord, but most people do not believe."*; Surah al-Baqarah verse 243: *"...Indeed Allah has grace towards humans but most humans are ungrateful."*; Surah al-An'am verse 116: *"And if you obey most of the people on this earth, they will surely lead you astray from the path of Allah. ..."*; Surah al-A'raf verse 187: *"...Say: "Indeed, knowledge of the Day of Judgment is with Allah, but most people do not know."*

There are still many verses in the Al-Quran that have a similar tone, such as in Surah al-Zukhruf verse 78, Surah Ali Imran verse 11, Surah al-Maidah verse 103, and others which essentially characterize the majority with negative characteristics.

Then on the contrary the term minority in several verses of the Al-Quran is characterized by Allah with positive characteristics. For example, Allah says in Surah Saba' verse 13 which means: *"... And very few of My servants are grateful."*; Surah Shad verse 24: *"...And indeed, most of those who join together, some of them do injustice to others, except those who believe and do righteous deeds; and these are very few..."*; Surah al-Baqarah verse 249: *"...People who believe that they will meet Allah, say: "How many times it happened that a small group was able to defeat a large group with Allah's permission. And Allah is with those who are patient.""*; Surah Hud verse 40: *"...And none of them believed with Noah except a few."*

So, in Islamic literature, the terms "majority" and "minority" are only used to indicate quantity, not to indicate anything else as used by the West. Meanwhile, regarding praise or blame, positive and negative traits, the benchmark is not a matter of quantity, so the majority group is not necessarily better than the minority.

Thus, it is clear that the term "majority" imported from the West is very unsuitable and does not correspond to the understanding of the term "minority" in Islamic literature. And it can be concluded that in fact the Western concept of "minorities" cannot be justified in the Islamic world.

Islamic Attitudes towards Minorities

Since its inception, Islam has fought against the dominant understanding of the relationship between people, nations, and religions at that time. There were several deviant and discriminatory understandings at that time, including:⁸ First, the Romans strongly believed that their nation was powerful and very noble, and looked down on other nations. The Barbarians, for example, were seen as not entitled to glory like the Romans. Barbarians were also not allowed to adhere to and practice religions other than the religion adhered to by the Romans. Jews and Christians were oppressed when Rome was still in the period of paganism (idol worship).

Second, Talmudic Jews have turned into adherents of racism and ethnicity. Even Talmudic Jews have turned into paganism when they think that Allah is only the God of their nation, while for other nations there are gods other than Allah (monopolizing Allah as God). Their faith has shifted to believing that Allah is not the God of all nature.

Third, Christians also oppress people who do not share their beliefs. For example, when Christianity became the official religion followed by the Romans during the Qastantin period (274-337 AD), Christians suppressed paganism in Egypt.

Islam comes with a correct understanding of the relationship between rulers and the people they rule; the relationship between the majority and the minority; and its relationship to different religions and identities. Islam unites the differences that exist in one environment. Islam makes plurality a *sunnatullah*. For example, Islam elevates women and places them as part of the social community; Islam also declares other groups to be part of Islamic society or *Darul Islam*. This has never happened before in the history of mankind and human civilization.

Islam states that Allah is the God of the entire universe. This statement is certainly a unifying statement for all mankind. The message of Islam is the message of Tauhid. The Tawhid treatise contains teachings about liberation. This teaching of liberation provides a strong grip for its adherents to free themselves from the bonds of any

⁸ Muhammad Imarah, *Al-Islam Wa al-Aqalliyat: Al-Madhi, Wa al-Hadhir, Wa al-Mustaqbal*, 11–12.

power other than Allah. As a consequence of this teaching of liberation, the principles of justice and equality in social relations were born. These principles and teachings are one of the important reasons why Islam is easily accepted in society.⁹

The emergence of Islam has brought – in Muhammad Iqbal's terms – a revolution of renewal and revolutionary renewal (*al-tsaurah al-ishlahiyyah wa al-ishlah al-tsaura*) towards the views and understanding of relations between human beings, especially in this context between the majority and minorities.

Islam is both a religion and a state; sharia and society; the world and the hereafter; individuals, families, congregations and people; and most of Islamic law which has a social nuance cannot be implemented except under the control of the state, government system or society; and even individual *Shari'a* will increase in reward if carried out in congregation.

The Islamic concept of public relations does not stop at just philosophical thinking, theory or doctrine. This concept has been implemented directly by Rasulullah SAW himself, which is in fact contained in the Constitution of the State of Medina, namely the Medina Charter.¹⁰ In the Medina Charter, several names of groups and tribes who agreed to the Medina Charter were explicitly stated. Previously, these groups and factions did not have a government that oversaw all the residents of Medina. However, even though they consist of various background groups and factions, the Medina Charter still provides equal status and the obligation to respect each other and

⁹ Nor Huda, *Sejarah Sosial Intelektual Islam Di Indonesia* (Jakarta: Rajawali Pers, 2015), 12.

¹⁰ The Medina Charter (Shahifah) is proof of the implementation of the Islamic concept which protects all human beings with various differences. The Medina Charter (Shahifah) has 47 articles of agreement. Some of the contents of the Medina Charter are as follows:

"In the name of Allah, the Most Gracious and Most Merciful"

This is the charter of Muhammad, the Prophet SAW., among the believers and Muslims (who came from) Quraish and Yasrib, and those who followed them, joined themselves and fought with them.

(1) Indeed, they are one people, different from other human (communities).

(37) For Jews there is an obligation to pay, and for Muslims there is an obligation to pay. They (Jews and Muslims) help in facing the enemies of these charter citizens. They give each other suggestions and advice. Fulfill the promise of the opposite of betrayal. A person does not bear the punishment due to (mistakes) of his allies. Defense is provided to the party who is persecuted.

(38) The Jews shared the costs with the believers during the war.

(44) They (supporters of the charter) worked together to face the attackers of the city of Yasrib.

(47) In fact, this charter does not defend wrongdoers and traitors. People who go out (travel) are safe, and people who are in Medina are safe, except for those who are wrongdoers and traitors. Allah is the guarantor of people who do good and piety. Muhammad Rasulullah SAW.

cooperate in Medina affairs. The Medina Charter even guarantees freedom of worship and religion for all residents of Medina, both Muslims and non-Muslims. It doesn't stop there, all residents of Medina even had the same position before the law.¹¹

The Medina Charter essentially regulates procedures for building a state in which there is a plurality of ethnicities, religions, and customs among its people. In the Hadith narrated by al-Bukhari and Abu Dawud, it is stated that, when Rasulullah SAW arrived in Medina, from a religious perspective, the population of Medina consisted of three large groups, namely: Muslims, Mushrikin, and Jews. The Muslims comprised of two groups, namely: Muhajirin, who were immigrants or who emigrated from Mecca to Medina; and Ansar, who were native residents of Medina who had embraced Islam and accepted/helped the migration of the Muhajirin group to Medina. The Muhajirin group were Quraish people who had converted to Islam and consisted of several groups, including the Bani Hasyim and the Bani Muttalib. Meanwhile, the Ansar group consists of main tribes such as the 'Aws and Khazraj tribes. Each tribe consists of many tribal groups. The Mushrikin group are Arabs who still worship idols (paganism). The Jewish group consists of descendants of immigrant Jews and descendants of Arabs who converted to Judaism or married immigrant Jews. The three large groups of immigrant Jewish descendants are the Bani Nadir, Bani Qainuqa, and Bani Quraizhah. Amid the plurality of residents of the city of Medina, the Prophet Muhammad SAW tried to build a common living order, including all groups in the city of Medina. One of the first steps taken by Rasulullah SAW was to create a brotherhood between the Muhajirin and Ansar groups.¹²

The people of Medina who support the Medina Charter are a community consisting of various ethnic and religious backgrounds. In this way, according to Dahlan Thaib, the Medina Charter recognizes and accommodates the differences and existence of various ethnicities and religions, to then frame them in a rope of solidarity under the State of Medina. This existence is confirmed by the recognition of equality of position

¹¹ Ahmad Sadzali, "Konstitusionalitas Shahifah Madinah," *Jurnal Millah: Jurnal Studi Agama* 18, no. 2 (2019): 257–59, <https://journal.uin.ac.id/Millah/article/view/14161>.

¹² Ahmad Sukardja, *Piagam Madinah Dan Undang-Undang Dasar 1945: Kajian Perbandingan Tentang Dasar Hidup Bersama Dalam Masyarakat Yang Majemuk* (Jakarta: UI Press, 1995), 36.

which is based on the principles of mutual respect and cooperation. In this way, all citizens of Medina have the same rights and obligations.¹³

As for the rules for paying *jizyah* by non-Muslims to Islamic countries, this is not caused by their different religions or different beliefs from Muslims. Also, it is not because they are a minority. *Jizyah* is not a substitute for faith in Islam. *Jizyah* is related to security and war financing. The proof is, that for regions that implemented tax levies for the military in the ranks of Muslims who fought the Persians and Romans in Syria, Iraq, and Egypt - even though those in those areas were non-Muslims - they were not required to pay *jizyah*. *Jizyah* itself is only taken from people who are financially capable and are actually also able to fight to protect the security of the country's territory.

Yusuf al-Qardhawi stated that *jizyah* is a substitute for jihad. Jihad is a religious obligation that is worship in nature, so Islam cannot oblige jihad on non-Muslims. However, the ulama believe that if non-Muslims (*ahlu dzimma*) take part in fighting to defend the security of the country's territory, then the obligation to pay the *jizyah* will cease.

Regarding the term '*ahlu dzimma*' itself, the meaning is those who are under the guarantee of Allah and His Messenger as well as the guarantee of Muslims under the agreement. Because of this guarantee, Muslims are obliged to protect them and they are given the freedom to carry out their religious law. Yusuf al-Qardhawi said that the term "*ahlu dzimma*" can be replaced with the terms citizen and citizenship (*al-muwathinin and al-muwathanah*). This means that they (*ahlu dzimma*) are citizens together with Muslims in one citizenship.¹⁴

The implementation of tolerance in relations between Muslims and non-Muslims within the Islamic state, which has been established since 14 centuries ago, has even amazed many people in the current era. For example, the Islamic army that liberated Egypt from Roman colonial rule apparently allowed the Coptic churches to remain

¹³ Dahlan Thaib, dkk, *Teori Dan Hukum Konstitusi* (Jakarta: PT RajaGrafindo Persada, 2004), 41–43.

¹⁴ Yusuf al-Qardhawi, *Al-Din Wa al-Siyasah*, Pertama (Kairo: Dar al-Syuruq, 2007), 182–84.

strong. They also did not immediately convert these churches into mosques for Muslims.

Likewise, during the agreement between Rasulullah SAW and Najran Christians, which had even reached its glory days in terms of relations between the Islamic state and non-Muslim places of worship. To the extent that the Islamic state's assistance to non-Muslims in building their places of worship is one of the obligations of the Islamic state. And it should be noted, this obligation is not only limited to providing permits for the establishment of non-Muslim places of worship, but also provides real assistance in the construction of non-Muslim places of worship. This is none other than because Islam considers non-Muslims to also be part of the Islamic state.

This law also applies not only to Jews (*ahlu al-Taurah*) and Christians (*ahlu al-Injil*) only. Laws like this also apply generally to people of other religions, such as Magi, Hindus, Buddhists, and others. When the Muslims liberated Persia, it was discovered that the inhabitants were actually Magi who worshiped fire. The Persian people believed in two Gods: the God of Good, namely light, and the God of Evil, namely darkness. Finding this, Caliph Umar bin Khattab then conveyed it to the Shura Council at the Medina Mosque, and asked what he should do with the Magi. Then Abdurrahman bin 'Auf said: "I saw Rasulullah SAW say: "*Treat their (laws) like the laws of the People of the Book...*" ." So in the end Khulafa al-Rasyidah enforced the laws of the Magi the same as the laws of the *Ahlul Kitab*.¹⁵

This law continued to apply until the spread of Islam to areas that adhered to non-Samawi religions (*al-diyannah al-wadh'iyah*), such as in Persia, India and China. The native residents of non-Samawi religions in this region not only have the freedom to practice their beliefs, but they can also freely debate and discuss with Muslim scholars in the caliph's assemblies.

This is proof that the arrival of Islam in a region is a liberation for that region, one of which is liberation to adhere to and practice religion/beliefs. Islam liberated the Eastern regions which were Roman and Persian colonies which greatly suppressed

¹⁵ Muhammad Imarah, *Al-Islam Wa al-Aqalliyat: Al-Madhi, Wa al-Hadhir, Wa al-Mustaqbal*, 18–19.

religious life in the region. Islam comes with full tolerance. Islam never recognizes coercion in religion.

Egypt, for instance, is proof that even though Islam has ruled there, there is still no compulsion for the native Coptic population to embrace Islam. The native Egyptians took a long time to gradually convert to Islam. The native population of Egypt consisted of Christians and Jews. Historical data records that when Islam first entered Egypt, the number of Christians and Jews (20 AH/241 AD) reached around 2,500,000 people. Until the end of the period of Caliph Muawiyah bin Abi Sufyan (60 AH/280 AD) or almost half a century since Islam entered Egypt, it turns out that around half of the Egyptian population still adhered to their religion, namely 1,030,000 people. And at the end of the reign of Caliph Harun al-Rashid (193 AH/809 AD) or around two centuries after Islam entered Egypt, the number of Egyptians who had not yet converted to Islam was 650,000 people, or around a quarter of the total population of Egypt at that time, which was 2,671. 000. And until the 9th century AD or two and a half centuries after the entry of Islam into Egypt, the number of non-Muslim Egyptians was around 20% of the total population. So this data shows that Islamic da'wah is carried out with full tolerance without coercion.¹⁶

In the context of social equality, relations between Muslims and non-Muslims in Islamic countries are free from discrimination. Non-Muslims are given the same opportunities as Muslims in getting jobs or working in government offices. In fact, quite a few non-Muslims work in government offices, to the point that in this context a German orientalist, Adam Metz, said: "In fact, it is the Christians who run the government in Islamic countries."

Yusuf al-Qardhawi in his book *al-Aqalliyat al-Diniyah wa al-Hal al-Islamiy* explains several principles and reasons why Muslims must act kindly and tolerantly towards people of different religions. These principles and reasons are:¹⁷

1. Every Muslim's belief in the glory of humanity, whatever their religion, nation or skin color. Allah says in Surah al-Isra verse 70 which means: "*And indeed We*

¹⁶ Muhammad Imarah, 22.

¹⁷ Yusuf al-Qardhawi, *Al-Aqalliyat al-Diniyah Wa al-Hal al-Islamiy*, 42–44.

have glorified the children of Adam, We carried them on land and in the sea, We gave them sustenance from the good things and We have given them perfect advantages over most of the creatures We have created."

2. Every Muslim believes that all human differences in embracing religion occur due to the will of Allah SWT. God gives humans the freedom to choose beliefs that they believe to be true. Allah says in Surah al-Kahf verse 29 which means: "And say: *"The truth comes from your Lord; So whoever wants to (believe) let him believe, and whoever wants to (disbelieve) let him disbelieve."* ..."
Likewise, in Surah Hud verse 118, Allah says which means: *"If your Lord had willed, He would have made humans one people, but they always disagree."*
In the letter Yunus verse 99, Allah also says, which means: *"And if your Lord had willed, all people on the face of the earth would have believed. So do you (want to) force people so that they all become believers?"*
3. In fact, a Muslim is not burdened with judging unbelievers for their disbelief, nor punishing those who are astray for their error. The only one who has the right to do all that is Allah on the Day of Judgment. Allah says in Surah al-Haj verse 68-69 which means: *"And if they argue with you, then say: "Allah knows better about what you do". Allah will judge between you on the Day of Resurrection regarding what you used to do." always at odds with him."*
4. Allah commands every Muslim to act fairly and promote noble morals, even if it is towards infidels. Allah hates injustice and will punish people who do injustice, even though Muslims commit injustice against infidels. Allah says in Surah al-Maidah verse 8 which means: *"O you who believe, let you be those who always uphold (the truth) for the sake of Allah, be witnesses fairly. And never let your hatred against a people, "encourages you to act unfairly. Be fair, because justice is closer to piety. And fear Allah, indeed Allah is All-Knowing of what you do."*

So when Islam becomes the majority, Islam is actually able to become a supporter for other minorities. When Islam is in charge, then the rules and legal principles that apply are as the Messenger of Allah said, *"lahum ma li al-muslimin wa 'alaihim ma 'ala al-muslimin, wa 'ala al-muslimin ma 'alaihim* – their share (rights) , anything that is part (rights) of Muslims; and (obligations) upon them, whatever is (obligations) upon Muslims; as well as (obligations) on Muslims, whatever is (obligation) on them."

The Concept of *Ummah Wahidah* in Democracy

Islam does not recognize any distinction between majority and minority based on quantity. The first and foremost thing in Islam is congregational unity. Even if there are certain differences and specialties, then they are all accommodated within the

united congregation. Because all human behavior is actually God's creation. And Allah created humans from one person, then from there men and women were born, and also tribes and nations were born, and various other differences. However, all these differences remain within the scope of the concept of one human race (*jami al-Insaniyah al-Wahidah*).

Judging from the human approach as a social creature, individuals and society certainly have interdependence. Humans cannot live individually without society. Likewise, vice versa, a society can only be said to be a society if it consists of individuals. This collection of individuals who form society will later form culture and civilization. And in interactions between individuals in society, culture, and civilization, differences will inevitably occur between one individual and another, between cultures and other cultures, and even between civilizations. This is where the role of Islam emerges as a religion revealed to the entire universe (*rahmatan lil 'alamin*). Islam can accommodate all human life with its differences. Because, Islam itself recognizes the natural existence of these differences.¹⁸

Islam introduces and develops the concept of ummah. This concept of ummah covers all types of differences, including differences in religious beliefs, differences in ethnicity and nation, differences in language and ethnicity, and differences in customs and culture, at every social level. And all of this is under one person and one civilization, under Darul Islam.

The concept of an ummah which does not recognize various distinctions between people based on anything, tends to follow the democratic paradigm which prioritizes equality. Both the majority and the minority have the same position in democracy. There must be no discrimination on behalf of the majority or minority. The majority and minorities both merge into one within the framework of citizenship.

However, there is a slight difference when democracy ultimately adopts a majority opinion based on quantity, while in the Islamic paradigm, what is put forward is

¹⁸ Ali Muhammad Rahumah, *Syawahid Al-Nazar Fi al-Islam Wa Mafahim al-'Asbr* (Libya: Jami'ah al-Da'wah al-Islamiyah al-'Alamiyah, 2000), 74–126.

quality, not quantity. So, in the Islamic paradigm, the majority vote is not necessarily seen as truth.

CONCLUSION

Based on the discussion above, the differences between the concept of minorities in the Western and Islamic paradigms are clear. In the Western paradigm, minorities are seen as vulnerable groups who survive amidst the majority, so they need to be affirmed. In this way, in the Western paradigm, the majority has privileges over the minority. Meanwhile, in the Islamic paradigm, minorities are only assessed in terms of numbers and quantity, which are no different from the majority. Thus, in the Islamic paradigm, the majority and minority groups have the same position, and no one is more special than the other. This is in line with the democratic mindset which eliminates differences based on certain benchmarks. The majority and minority merge into one within the framework of citizenship. However, there is a slight difference with democracy, when in the end democracy will take the most votes (ed: majority).

Based on this paradigm, non-Muslim minorities living among the Muslim majority must be treated equally and fairly. Non-Muslim minorities must not receive discriminatory treatment. In this case, the state must not privilege Muslims who are in the majority and discriminate against non-Muslim minorities. Both the Muslim majority and non-Muslim minorities have the same position before the state as citizens. So the principle of *ummah wahidah* needs to be applied in state life.

COMPETING INTEREST

There is no conflict of interest in the publication of this article.

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