



# Muslims, Islam, and Globalization

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## Abstract

Muslim views on citizenry, authority, territoriality, and sovereignty represent paradigmatic understandings of how Muslims relate to the overarching influence of globalization, particularly the modern state system. It does form part of how they visualize a modern understanding of the “international.” In the Islamic jurisprudential understanding of citizenry, some attempt to explain it by going back to historical sources, while others use *ummah* as a means for social identification despite its perceived ambiguity. Thus, it overlaps between membership to the Islamic faith and affiliation to juristic-territorial abode of Islam (*dar al-Islam*). Territoriality has differing conceptualizations between Sunni and Shi’a scholars. The Sunnis frame it with endless demarcation of the abodes of Islam and war, while the Shi’a utilize Qur’anic prescription as a structure of opposing dimensions between the oppressed and the oppressor. Authority, on the other hand, is a contested concept. Some scholars would argue for the absolute rule of the omnipotent God, while others argue for temporal authority of man imbued oftentimes with spiritual authority. Humans legislate laws that are not addressed

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by sources of Islam, the Qur'an (God's message) and the Sunnah (sayings and practices of the Prophet). The last view pertains to sovereignty. Islamists, political and violent dissidents, hijacked sovereignty by promoting it as an innate attribute of God alone, instead of aiming for the sovereign goal of Shari'ah, i.e., *maslaha* or public welfare and common good for the entire creation.

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## Introduction

Since the beginning of subjugation of Muslim societies to colonial powers in the nineteenth century, multiple discordant Qur'anic and hadith interpretations within and outside the realm of Islam transpired. Questions on the legitimacy and positionality of Islam within Euro-American modernity rendered great challenges for contemporary Muslims, particularly in issues posed by modern democracy, territorial sovereignty (i.e., the modern state system), human rights, and international cooperation, among others. Islam has been subjected to the othering promoted by Orientalist works and loathed by some Western Christians (Adiong 2012). Muslims see Islam not as a simple religion but a total way of life that governs the entire cosmos of creation. In the theological expression of the "international," Muslim scholars have had referred to the Qur'anic chapter 49 (*al-Hujurat* or The Private Apartments) verse 13:

O mankind! Truly, We created you from a male and a female, and We made you peoples and tribes that you may come to know one another. Surely the most noble of you before God are the most reverent of you. Truly God is Knowing, Aware. (The Study Quran 2015, p. 1262)

Commentaries of Muslim scholars from different times understood the verse as referring to the diversity of humanity's races, ethnicities, languages, and religions. The central aim is for human beings to understand, appreciate, and respect the beauty of differences. In the political spectrum of the "international," Muslims experimented governance ranging from Persian statecraft, the caliphate, the sultanate, and the imamate to the modern nation-state system. Out of all these polities, the nation-state system tremendously impacted the contemporary lives of Muslims. The succeeding Muslim views draw on their understanding of citizenry, territoriality, authority, and sovereignty as part of an overall view of the very idea of the "international."

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## Muslim Views on Citizenry

Faith is the main criterion and basis for membership in the Islamic community headed by the Prophet Muhammad in the seventh century, but according to Ayubi (1991, p. 6), "it nevertheless subjected the believers to the authority of a certain political leadership." It was through the preaching and leadership of the Prophet that the Arabs formed a politico-religious group beyond kinship (Parolin 2009), and after

his demise, they formally institutionalized their community by borrowing foreign political administrative styles and practices (e.g., the Persian treasury and military) as they spread all over the region. In contrast with medieval European cities, Muslim cities (Rahman 1986), particularly with the emergence of familial dynasties (e.g., the Umayyads and Abbasids), are internally fissiparous, divided, and ruled by patrimony, where there is the incapacity to build independent associations (Isin 2012). Thus, citizenship rights procured from political junctures, contingencies, and trajectories than from full submission to Islam.

However, Ahmet Davutoglu (1994, p. 186) insisted that “the socio-political identification of *ummah* specifies a unique type of citizenship consisting of Muslims who decide to live together to perform their divine responsibility through the realization of a lifestyle originating from an axiological norm. . . .” Because a Muslim is one who submits or surrenders him/herself to God and fully accepts the revealed messages as final and universal (Yusuf 2010, p. 125), and along with the signing of the Medina Charter, a new ontologico-political membership was defined beyond tribal membership in Arab societies. Therefore, a Muslim citizen is obligated to follow the authority or government that conforms to the principles and demands of Shari’ah (Asad 1980, p. 75).

*Ummah* is a concept that determines Muslims as part of a whole community. The contemporary concept of *ummah* is “a specific kind of social identity” (van Nieuwenhuijze 1959, p. 20) for which all Muslims are automatically part of it by virtue of faith. Imam Zaid Shakir (2012) reflected on a virtually universal and transnational “cultural *ummah*” at the height of Muslim rule. He argued that “as a religious community of shared rituals, a shared liturgical language, shared dietary conditions, a common general dress code and unique approaches to art and music, Muslims share a common culture. This shared reality creates an *ummah* at the cultural level” (Shakir 2012, p. 3). He demonstrated that Ibn Battuta (b. 1304, d. 1377) travelled over 70,000 miles from Morocco to Indonesia and remained culturally integrated. He even became a judge in Maldives. However, this was in stark contrast with the experiences of Marco Polo (b. 1254, d. 1324) who was only an observer. However, this so-called cultural *ummah* immediately decayed with the adoption of the nation-state system by Muslim countries, although some rituals are still widely practiced, including fasting, praying, standard *halal* food, etc.

In scrutinizing the word *ummah*, Kaka Khel explained that it is “derived from the word ‘amm’ (the root), which means ‘to aim at’ or ‘to intend to’. Hence, ordinarily, it means the people who ‘intend to’ follow a leader or a religion. Moreover, it is used in the sense of the desire ‘to belong to’ one place or generation, and various kinds of birds” (2013, p. 8). The Qur’an used *ummah* in various contexts; it may mean mother, nation (Saunders 2008, p. 303), group of people, community, humanity, exemplary human beings, duration of time, era, lifespan, method, or pattern or specifically addressed to the followers of the Prophet. Ibn Khaldun (b. 1332, d. 1406) used *ummah* as a sociohistorical concept and considered its phenomenon longer than the dynasty or state (*dawlah*). He relates it with the term *watan* that “expresses a certain relationship between specific group and a specific territory” (Ayubi 1991, p. 21). Orientalists regarded *ummah* as synonymous with “tribe,” but

Arab linguists insisted its religious connotation. According to Al-Faruqi, “to claim that, at the time, the only concept of belonging available was the ‘tribe’ is simply gross historical inaccuracy” (2005, pp. 3–5), because there were strong prophetic traditions that are nonethnic and non-tribal. In Al-Faruqi’s extensive study of the *ummah*, she offered ten meanings:

1. *Ummah* in the direct sense of ‘path’ or ‘custom’ is already used in the second Meccan period.
  2. *Ummah* means the group that embodies a certain tradition or way or follows a certain law.
  3. This conceptual *ummah* of all believers can be seen in the actual groups to which the primordial single *ummah* gave rise, and which can be further identified by the specific creeds into which the primordial message became differentiated.
  4. An *ummah* is the religious law and tradition followed and embodied by a group, therefore by extension, the group itself.
  5. The *ummah* may comprise many or a few adherents, even no more than one. An individual following God’s law perfectly and in stark opposition to all people is an *ummah* on his own.
  6. *Ummah* can mean a tiny group of people devoted to God.
  7. Alternatively, *ummah* can refer to a large group of people.
  8. Just as those who follow and embody the *ummah* are, by extension, identified as the *ummah*, the word can take on the connotation of the time or lifespan of the community.
  9. Each *ummah* has an appointed term, which cannot be changed. The concept of ‘time’ is integral to that of *ummah* in the sense of its ‘age’ or ‘life,’ which is always as long as ‘one’s existence’ (i.e., quite long).
  10. The meaning of the ideal *ummah* is the one that matters most to Muslim theology and identity. In that humankind was created for a single purpose, they are a single *ummah*.
- (Al-Faruqi 2005, pp. 28–32)

Now, it is difficult to ascertain if there is a correlation of *ummah* as an identifying variable with the modern understanding of citizenship because of its ambiguity and ambivalent characterization. Mohammad Hashim Kamali (2009) argued that the discourse and topic of citizenship are very underdeveloped in the literatures of Islamic jurisprudence; thus Islamic scholars would just carelessly associate citizenship with Muslim identity (Hughes 2013) and being a legal member of the abode of Islam (*dar al-Islam*). In fact, citizenship is not recognized in Shari’ah according to a majority of Muslim commentators (Kamali 2009). But some would attribute the Islamic equivalence of citizenship with the accord of the Medina Charter, where parties to that document were given a set of rights and duties. However, Kamali (2009, p. 124) contested that the modern concept of citizenship has no direct Islamic equivalent because “of Islam’s rejection of all racial, ethnic and hereditary criteria of distinction, which constitute the foundations of nationalism.”

He further stated that “the Prophet-cum-head of state himself did not insist on embracing Islam as a precondition of citizenship. The Medina Charter acknowledged and declared the Jews of Medina to be part of the *umma* that the Prophet organized immediately after his migration to Medina. Moreover, there is nowhere a requirement in the sources of Shari’ah to say that a non-Muslim resident, the so-called *dhimmi*, must become a Muslim first before he or she can become a citizen of an Islamic state” (Kamali 2009, p. 125). In addition, there was free mobility of transportation, residency, or employment of all individuals residing in Muslim lands, whether they are Muslims or non-Muslims, in spite of competing caliphates among the Abbasids (formerly Iraq, Syria, Egypt, etc.), the Fatimids (formerly Tunisia), and al-Andalus (formerly Spain). Thus, the restriction imposed by contemporary Muslim countries such as Saudi Arabia and Malaysia is an absolute violation of Shari’ah where, for example, the rights to travel, work, or reside are fundamental, moral, and legal entitlements for all Muslims, but nowadays it became a privilege for certain nationals depending on their social status in a particular Muslim-dominated country. What we are witnessing now is an era of exclusivist membership to a certain nation-state (the only granting authority) that expresses itself in “local rhetoric and relies on ethnicity, culture” (Kamali 2009, p. 151), nationalism, material wealth, language, particular lifestyles, values, and/or belief system so that an individual can be labeled as part of an entity in this present world order. This was in stark contrast with citizens during the Ottoman period. Isin (2005) argued that Ottoman citizenship refers to “Ottomans were imperial subjects and Turks were republican citizens” (Isin 2005, pp. 31–51) and that the legitimizing factor which led to citizenship law was the *Tanzimat* (reorganization) reforms promulgated between 1839 and 1876.

With regard to minorities, Islamic scholars refer them as *dhimmi* (Kaka Khel 2013) (or resident non-Muslims who agreed to live and be ruled under a Muslim regime), which is enshrined to the term “People of the Book” (*ahl al-kitab*) or usually composed of Jews, Christians, Zoroastrians, and Mandaeans (Sabaeans). Sometimes, according to other contemporary interpretations, the *dhimmi* was also accorded to Buddhists and Hindus – depending on the historical records of Muslim encounters in Asia – and was seen to have expanded its context to followers of certain ethical principles of higher authority. They are granted freedom of religion (i. e., rituals, practices, and places of worships are fully respected) and fundamental rights to life, property, movement, and sometimes exemption from military service. In return, they are obliged to contribute by paying a sort of poll tax (*jizya*) (while for Muslims, it was the alms tax (*zakat*)) (Ayubi 1991). With the adaptation of nation-state system by Muslim rulers, the *jizya* was scrapped, but in present reality, minorities (religious or otherwise) are treated more badly compared, for example, during the Ottoman period (Monshipouri 2007). Currently, blasphemy and apostasy laws are entrenched in most Muslim-dominated countries and places, such as in Saudi Arabia, Afghanistan, Pakistan, Brunei, and even the Islamic State of Iraq and Syria (ISIS).

The meaning of citizenship in the modern state system was adopted by several Muslim societies during the decolonization period. At first, faith or submission to the will of God was the main criterion to become part of the group (usually refers to the *ummah*). As Muslim lands expanded, they adopted several political and cultural

aspects of non-Arabs and non-Muslims – but still guided by Islam, particularly of Shari’ah. The establishment of the Medina Charter was an epic moment for the Muslim community because it showed that non-Muslims (especially the “People of the Book”) may also become part of the community as a citizen of a political regime under Muslim rule. However, this self-identification through the concept of the *ummah* is quite ambiguous due to the several meanings and contexts of how it was used in the Qur’an. Although there is no direct counterpart of the Muslim view on citizenry with the modern notion of citizenship, it somehow transcends what was with the Medina Charter, which also subscribed to a ruler-ruled relationship where the authority has the prerogative in delegating who is part of his regime. This was exemplified in the patrimonial and hereditary leadership of the early caliphates and of the Ottoman Empire.

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## Muslim Views on Authority

The conception and notion of authority in Islam is one of the most difficult to discern and contemplate, especially within the context of ambiguous political authority. As it has been debated over the course of Muslim civilization, it is the prime reason why political and theological division emerged (i.e., Sunni vs. Shi’a), particularly after the death of the Prophet. The Prophet’s multiple roles as religious founder, political leader, head of state, and spiritual guide comprised key understanding of the concept of political authority (Khan 2014b). His political and diplomatic abilities in concluding treaties, as in the Medina Charter and Hudaibiyya Treaty (Piscatori 1986), are worth emulating. Fazlur Rahman (1986, p. 88) argued that leadership in Islam stems from the Qur’anic revelation (3:104) that recites: “Let there be of you a community who calls (people) to virtue, commands good and prohibits evil, these shall be the successful ones.” Some would argue that “authority belongs to *ummah*” (Al-Barghouti 2008, p. 37; Newell 2007, p. 7), while others contest that authority is only possessed by God. Iqbal (1986) asserted that authority lies with God alone and that laws in Islam have already been legislated through the revealed Qur’an and the Sunnah of the Prophet. Thus, the leader of the community or head of state has no legislative power, and if there is a need to alter or modify some laws, he must create first advisers (although their opinions are not binding) and secondly subordinate altered laws to the Qur’an and the Sunnah (Iqbal 1986). In principle and in theory, supreme authority lies only with God and not with the ruler of the state.

However, Hallaq (2003, pp. 244–245) insisted that “Islamic law (Volpi and Turner 2007, pp. 1–19) derives its authority not just because it is believed to be the law of God, for hermeneutically God did not reveal a law but only textual signs or textual indications that were to remain empty of legal significance had they been left unexplored.” Thus, the agents of interpreting the texts and making it into laws are solely the jurists. They are responsible in the interpretative construction, methodology, and codification of the Qur’an and the Sunnah into Islamic law (Hallaq 2001). But the legislative activities of jurists are limited to three functions: “(1) to enforce laws in accordance with the Qur’an and Sunnah (these are the primary Islamic sources); (2) to bring all existing laws in conformity with the Qur’an and

Sunnah; and (3) to make laws as subordinate legislation which do not violate the primary Islamic sources” (Iqbal 1986, pp. 49–50). Crone (2004) added that early Muslim government was all about the lawful maintenance of a moral order. The jurists’ discursive construction of the texts requires constant interpretation and commentary and in “which their schools of law were not only elaborated but also expanded and modified to meet the exigencies of changing times” (Zaman 2002, p. 38). The identity and authority of their schools of jurisprudence were preserved and maintained through their commentaries, interpretations of Islamic sources, and the fiat (or *fatwas*) that served as forms of dialogue between the past, present, and future generations of scholars in expounding the Qur’an and *hadith* (sayings of the Prophet Muhammad). However, their roles and duties were challenged by the emergence of lay interpretations of non-jurists that fragmented their authority (Robinson 2009). Particularly, in today’s globalized internet age, any individual with proper higher education have the audacity to solely interpret Islamic sources, even without looking back to classical texts produced by scholars in the medieval times.

In another perspective, Arjomand (1988, p. 1) opined that obedience is an important component of authority as evidently stated in the Qur’an 4:59, i.e., “O believers, obey God, and obey the Messenger and those in authority among you. . . .” And “those authorities” are entitled to issue commands since Sunni Islam considers a caliph as heir to the Prophet, and succeeding authorities and subjects are obligated to obey the caliph. With the collection of *hadiths* (sayings) of the Prophet, it “facilitated a great expansion in the scope and detail of the rules derived from God’s law” (Hefner 2011, pp. 13–14) in relation with the duties and responsibilities of the ruler. One may argue that there are two bases of authority revealed in the Qur’an and these are the *din* (religion) and the *mulk* (temporal rule) (Arjomand 1988). The latter was tainted with another Qur’anic term, *sultan*, represented as the sole legitimate political authority during the age of empires in Muslim civilization.

To Al-Barghouti (2008), the political expression of authority is manifested through the creation of the *dawlah*, a political concept referring to any authoritative political arrangement which is not necessarily associated with supreme power or sovereignty. Throughout Islamic civilization, the *dawlah* evolved into the caliphate (Khan 2009). Sunni scholars elaborated the significance of elective nature of the leader (*imam*) (Al-Barghouti 2008) as restricted to only having executive power, but Shi’a scholars emphasized the infallible nature (Arjomand 1988) of the imam having inclusive powers over the government’s executive, legislative, and judicial roles (Rahman 1986). During the peak of the Abbasid dynasty, the leader (caliph) possesses both religious (Krämer and Schmidtke 2006) and secular (political) jurisdictions of authority, i.e., a combination (Zubaida 2003) of an *imam* and a *sultan*. However, there is a balanced (equilibrium) (Ayubi et al. 2009) of designation of powers, and these are distributed among the “the caliph as guardian of the community and the faith, the *ulama* or religious scholars involved in the function of rendering religio-legal advice, and the judges who settle disputes according to religious laws” (Ayubi 1991, p. 23).

In addition, “[t]he influence of religion in all aspects of life in the society thus confirmed the social role of *ulama*” (Akbarzadeh and Saeed 2003, p. 21). Before the advent of dynastic families or hereditary political power in Muslim polities, the

Sunni tradition of selecting a leader is usually done through rigorous mutual consultations (*shura*) from selected stakeholders (mostly “senior” scholars) of the community. And then a binding and consensual (*ijma*) decision is made where the chosen or elected leader will take an oath of allegiance, while the ruled will perform a pledge of obeisance through the process of *bay’ah* (or a social contract between them). Some scholars argued that the process of *shura* may be binding (Rahman 1986) or not (Iqbal 1986), depending on one’s take of the concerned Qur’anic interpretations and *hadiths*. It is important to take note that the selection or election is done through the judgment of the jurists, scholars, and *ulama* on the basis that the chosen one is competent and expected to rule according to Shari’ah.

The juridical authority of the leader, especially the caliph, serves as a political symbol in unifying the *ummah*, but as the Muslim polity evolves, the basis for this ideological unity is no longer attainable (Ayubi et al. 2009). As the Abbasids declined in the twelve century, the role of the caliph bifurcated into separated realms of the sacred and secular (Eickelman and Piscatori 1996). In addition, the prominent source of legitimate authority became a security issue which referred to the lesser *jihad* or defending Muslim territories from Crusaders, Mongols, and other foreign invaders. Also, the Shi’ite peoples’ nonrecognition of a caliph as heir of the Prophet and their belief in occultation (Belkeziz 2009) symbiotically coexisted with the Persian-style kingship and sultanate systems as temporal rule (Arjomand 1988). Ayatollah Khomeini’s *Vilayat-i Faqih* (or rule or guardianship by jurists) later became the central body of contemporary Shi’a political thought (Arjomand 1988), controlled by a guardianship-based political system while recognizing the absence of an infallible 12th *Imam* (Vaezi 2004). In the modern period and after the demise of the Ottoman Caliphate in 1924, political authority had broken into three types: monarchical, dictatorial, and semi-democratic (Khan 2014b). The power of the *ulama* weakened with the adoption of the modern nation-state system and was divided into two categories: the official *ulama* and the nonofficial (independent) *ulama* (Akbarzadeh and Saeed 2003). The official *ulama* (Zaman 2009) are part of the state bureaucracy, while the second is (financially and politically) independent of state control. The nonofficial *ulama* are relatively small in numbers, and, at times, the state manages to penetrate their leadership. The nation-state had taken almost all the powers of *ulama* and curtailed their influence from the people.

The only role left for the *ulama* was administering local family laws, and yet this still falls under the civil law and the supremacy of the state’s constitution. Even trainings, tools (like manual and technical books), salaries, and proficiency degree programs to become member of the *ulama* were directly supervised by the state (Akbarzadeh and Saeed 2003). In addition, permits to build and manage mosques were also taken over by the state. Moreover, crises in the authority of *ulama* may also be attributed and caused by them as well. There are increasing numbers of *ulama* who prefer to study Islam in Western institutions like Oxford and Cambridge, rather



than in their own *madrasahs* or universities; thus most of them reject past scholarship of their own traditions. They also halted the person-to-person (oral) transmission of knowledge by printing and translating Islamic sources from Arabic to various vernacular languages (Zaman 2009). Consequently, according to Robinson (2009, pp. 345–348), “they themselves began to destroy the ‘closed shop’ which gave them the monopoly over transmission and interpretation of knowledge.”

Numerous scholars discussed what form/s of political authority or government is/are appropriate for the Muslim world in the postcolonial age. Rashid Rida (b. 1865, d. 1935) argued for the necessity of caliphate that will cater to a balanced worldly and religious interest of the Muslim world (Black 2001). He likened the caliph to the Catholic’s papacy, serving as model for emulation. This was refuted by Shaykh “Ali” Abd al-Raziq (b. 1888, d. 1966), contesting that Islam did not prescribe a system of government and that no mention in the Qur’an regarding a preferred political system for the *ummah* (Black 2001). Even the Prophet did not elaborate any particular polity or instructed ways and criteria in choosing a leader. All his political or diplomatic actions were means to propagate Islam. For al-Raziq, the caliphate was a product of a historical moment catering to political needs, and the Shari’ah could also be changed because it was also influenced by specific historical circumstances. Abdullahi Ahmed An-Na’im (b. 1946) argued that Shari’ah principles could not be imposed by the state (Black 2001). He is in favor of a secular society where different groups of peoples or communities equally share the same political space.

Overall, authority is ultimately enshrined in the personhood of the Prophet who is the spiritual leader, executor, legislator, and judicial interpreter of God’s message. Since in reality the Prophet is no longer existing, leadership is bestowed to the subsequent followers, and sometimes, the *ummah* may possess leadership status through a social contract between the ruler and the ruled. However, scholars have emphasized that these subsequent authorities have no legislative power because the Qur’an and the Sunnah (the primal sources) had been completely legislated. Thus theoretically speaking, supreme authority lies only with God alone. If there are instances that some issues are not directly addressed by the primal sources, then the jurists are given the authority to interpret, comment, and apply the sources in particular times. This new set of legislations must be subordinated by the primal sources. So technically speaking, the Qur’an and the Sunnah, through the operations of the *Shari’ah*, hold authoritative powers that legitimize any form of leadership and type of political arrangements. There are contested methods in selecting a leader among the Sunni and the Shi’a, but these methods (e.g., election/consultation or occultation) are still guided by the primal sources. However, with the adoption of the nation-state system by Muslim societies, almost all contours of political leadership – especially by the *ulama* (jurists) – were weakened, controlled, or suppressed. The manifestation of operationalizing authority needs a political space, domain, or place, which is attained via the notion of territoriality.

## Muslim Views on Territoriality

The *ummah*, a transcendental juristic locality of the faith (i.e., the Islamic community as unanimously understood in the nineteenth century) (Derrick 2013), has various synonyms, interpretations, and understandings from Muslim scholars, depending on the context of its usage in the Qur'an. It may mean Muhammad's closest followers, encompassing all living creatures, a mother (in Arabic), a community (in Sumerian, Aramaic, or Hebrew), or a unified Muslim world (in modern discourse) (Mandaville 2001). In some respects, al-Farabi (b. 872, d. 950) referred it to gatherings of tribes or clans or to the structure of a city. He also considered Indians, Abyssinians, Persians, Egyptians, and Syrians as another *ummah* and differentiated it with the term *milla* (which may mean a way, path, or cult under a divine ruler with set of views and deeds), because *ummah* rules the entire life of a certain community, including having physical character, natural traits, and common tongue (Ayubi 1991). The first historical record of an established *ummah* was when the Prophet Muhammad became the leader of different communities composed of Muslims, Jews, Pagans, and Christians in Medina, cemented by an agreed treaty or charter stipulating articles of collective security. According to Mandaville (2001, p. 36), "this 'treaty' provided an overarching sense of authority for the anarchic settlement. Because it demanded complete loyalty from all factions it also effectively prevented the formation of unstable alliances between clans."

The capability of Muhammad to demand commitment from all warring factions of Medinan society made him an able and efficient political authority. This is because of the fact that his previous successes in wars against the settlers of Mecca put him on a pedestal, in which neighboring nomadic tribes relied and pledged allegiance to his skillful leadership. Thus the *ummah* of Medina may be described as a conglomerate of numerous communities – be they tribal, confessional, or confederate in nature. The contemporary *ummah* is represented as an imagined politico-religious community patterned and based from the paradigmatic experience of Muhammad's Medinan society (Jabareen 2015). This type of *ummah* is envisioned by Islamists (political parties in Muslim states) and jihadists (transnational terrorist organizations such as al-Qaeda and ISIS) with the aspiration of recreating and reviving it in today's world to counter the hegemony of the nation-state system. However, most Islamists have adopted the current political configuration of their states. Within the *ummah*, there is a kind of polity mentioned in the Qur'an called *dawlah* (usually representing the state or country in the modern sense). According to Ayubi et al. (2009), the original meaning of *dawlah* used in the Medieval Age connotes "to turn, rotate, or alternate." It was even used to describe fortunes, vicissitudes, or dynasty during the Abbasid period. It was only then that it became territorial rather than communal, mainly because of the study done by al-Ṭahtawi (b. 1801, d. 1873), who presented the idea of *watan* or fatherland. The first time the word *dawlah* appeared to mean as a "state" was in the Turkish memorandum of 1837 (Ayubi et al. 2009).

Territory is *dar* in Islamic legal terminology, and etymologically, it means "house" (Bouzenita 2012). It is synonymous to the terms *mawdhi* (place), *balad*

(land), or *watan* (home or place of residence) (Bsoul 2007). The concept evolved through its interrelatedness with political and legal dominance of the ruler over its jurisdiction. The *dar* was structured as a legal framework in order to identify Muslim political order from the rest of the world (Ayoub 2012). In Qur'anic terms, it is used to describe a place of residence, final abode, or, simply, a house. Moreover, it is also a specific territory where the ruling regime and its subjects are Muslims. This sense could be attained if any of the four cases was upheld: "(1) the residents of a territory converted to becoming Muslims; (2) the territory is captured by force but the government allows the Muslims to practice and enforce their Islamic rulings; (3) the non-Muslim residents accept Islamic law under the Muslim protection; and (4) if the territory is conquered through a peaceful agreement where Muslims are allowed to settle and implement land tax" (Ayoub 2012, p. 84). In classical Sunni jurisprudence, the *dar* is basically classified into two divisions: *dar al-Islam* (the abode of Islam or peace) and *dar al-Harb* (the abode of war or enemy). These are not Qur'anic terminologies but jurists' interpretations that emerged in the middle of the eighth century (the second century in the history of Islamic civilization). Ayoub (2012) argued that it was the *Sunnah* (traditions of the Prophet including its *hadiths* or sayings) – and not the Qur'an – that played an essential role in developing these two divisions. He further stated that "in their efforts to synthesize this theory, most jurists projected their legal reasoning upon two major events in Muslim history" (Ayoub 2012, pp. 7–10).

First, they relied upon the event of the migration (*hijra*) from Mecca to Medina in 622 C.E. Second, many of their legal determinations were inspired by the conquest of Mecca in 630 C.E. (Ayoub 2012). These theoretical divisions became so resounding that most of the Sunni jurists have accepted it uncritically, especially during the 1255 Mongolian invasion (and even after the last crusaders in 1187 were defeated) of most Muslim lands. Thus scholars such as Ibn Taymiyyah (b. 1263, d. 1328) have adopted it in their works, which are very much cited by both contemporary Islamists and jihadists alike.

*Dar al-Islam* is a legal construct that has a territorial dimension where Islamic law prevails and, to some extent, a political expression of the *ummah* is present. In short, it is a politico-territorial manifestation of Muslim community (Parvin and Sommer 1980). This concept has its pre-Islamic roots, notably, nomadism (non-sedentary lifeways) and urbanism (non-rural lifeways). This is embodied in Mecca as a religious sanctuary and Medina as the first Islamic state that functioned as the center of trade and commerce during that time. Moreover, it is based on a concept of individual allegiance to the universal Islamic message. Most of the jurists believed that even if majority of the people are non-Muslims or nonbelievers, as long as the dominant laws promulgated and followed the *Shari'ah*, then, it is still the abode of Islam.

*Dar al-Harb* is also a legal construct that has a territorial dimension, but it denotes a realm that is politically or economically subjugated by a non-Muslim power. According to Iqbal (1986, p. 37), "Muslims would be left with only two alternatives: either to conduct *jihad* (struggle) in order to regain their independent status, or to migrate to some Muslim country." It is quite important to understand deeply this

division because some jurists, especially the Hanafis (one of the surviving schools of Sunni jurisprudence), contend that even if the majority of the population are Muslims but laws and security are governed by *kufir* (nonbelievers or infidels), then, it is still the abode of the enemy of Islam (Ayoub 2012). Shafi'i coined a third division, the *dar al-Sulh* (territory of friendly non-Muslim nations) or *dar al-Ahd* (land of temporary truce) (Ayoub 2012), where a Muslim territory has diplomatic relations with non-Muslim territories in order to protect the lives and properties of both Muslim and non-Muslim minorities in both areas, in exchange of paying (or receiving) tribute (Bouzenita 2012). It signifies that Muslim minorities are free to practice their religion even if they are ruled (not protected) by a non-Muslim leader. However, some jurists think that even if there is an armistice concluded between the rulers, this division still forms part of the *dar al-Harb*. Bouzenita (2012) contemplated that this division is not entirely an independent territorial one, because it relied on the conditions of the contract at hand.

Out of all the Sunni schools of jurisprudence (*fiqh*), the Hanafis had focused on the study of territoriality, where they developed a legal concept called *ikhhtilaf al-dararain* (translated in English as "territoriality" as well). Their founder, Abu Hanifa (b. 699, d. 767), emphasized that the core factors in declaring a place as abodes of Islam or of war/enemy are security (*aman*), fear, and absence of protection (*isma*). They viewed Muslims and non-Muslims as "two independent legal characters, each having its legal status" (Ayoub 2012, p. 5) and where religion is not a determining factor in their legal structure of territoriality. According to Ayoub (2012, p. 5), there are three main factors in Hanafi's concept of territoriality: "(1) residency; (2) legal status of the individuals; (3) the existence of *al-man'a* (secured jurisdiction)." The applicability of their territorial concept rests in two conditions: "(1) the disparity of the legal and physical proximity of two jurisdictions; and (2) the absence of inviolability or protection for people's life or property" (Ayoub 2012, p. 5). However, despite Hanafi's insistence on the personal legal status of peoples within the divisions of *dar*, Abou El Fadl argued that "all Muslims belong to a single community (*umma wahida*) regardless of their residence" (Ayoub 2012, p. 3). In turn, he claimed that Hanafis were preoccupied with territorial and jurisdictional intricacies, rather than engaging in moral obligations from legal consequences.

It is important to note that Islamic territoriality is a result of historical evolution of Muslim governance and legal conceptualizations of jurists, i.e., from Medinan society, caliphate, and empires to the adoption of postcolonial polity (nation-state). In the ninth century, al-Muqadassi (b. 946, d. 991) distinguished cultural regions between Arabs and Persians (Parvin and Sommer 1980). The *Hudud al-Alam* (Regions of the World, 983 CE), a tenth-century geographical book, contained 51 nations divided into provinces and towns. But one of the perennial social elements that bind nations, in Ibn Khaldun's argumentation (Parvin and Sommer 1980), is *asabiyyah* (usually translated as solidarity). Through solidarity, people tend to acquire land properties in order to maintain political and economic securities. By the sixteenth century, competition in amassing lands became fiercer because of the dominance of strong empires such as the Mughals (South Asia), the Safavids (Persia), and the Ottomans (presently Turkey) (Parvin and Sommer 1980). However,

with the arrival of the European colonialists and the imposition of the idea of permanent territorial borders, *dar al-Islam* gradually rescinded. The idea of the abode of Islam based on the history of Muslim civilization had been characterized by its expansionist and occupationist tendencies, in contrast with European colonial polity. In the face of threats of widespread European interventions into Muslim lands during the nineteenth century, Jamal al-Din al-Afghani (b. 1838, d. 1897) proposed to the then caliphal ruler, Sultan Abdulhamid, a return to the pristine message of unity in a single Muslim *ummah* in order to restore universal solidarity (Derrick 2013). According to Derrick (2013), al-Afghani's conceptualization of *ummah* is an emulation of the German idea of a nation, which could be achieved through a confederation of Muslim states.

The Shi'a version of *dar* is not represented by the *dar al-Islam* or *dar al-Harb* but by the *mustad'afun* (oppressed) and *mustakbirun* (oppressor) worldviews (Mauriello and Marandi 2016). Shi'ite scholars contend their "oppressed-oppressor" dualism of *dar* in Qur'anic terms (notably 4:75, 97–98, 127 and 8:26) (Abdel Haleem 2008), compared with the Sunni's conception of territorial division, which was a result of eighth-century juristic interpretation of the Hanafis. However, there is no clear explanation on whether the Shi'a version of abodes of Islam and of the enemy, as represented by the oppressed-oppressor duality, is territorial in nature. According to Mauriello and Marandi (2016), the Shi'a worldview is more concerned with justice, corruption, and knowledge than in formal categorization of the territory. In contemporary Iran, the late Khomeini described Shi'a society in terms of two antagonistic components (aside from the oppressed-oppressor dualism of *dar*): oppressed nations (*mellat-e mostad'af*) versus Satan's government (*hokumat-e sheitan*), slum dwellers (*zagheh-neshin-ha*) versus palace dwellers (*kakh-neshinha*), poor (*foqaha*) versus rich (*servatmandan*), and lower (*tabaqe-ye payin*) and needy class (*tabaqe-ye mostamdan*) versus aristocratic class (*tabaqe-ye a'yan*) (Mauriello and Marandi 2016). Furthermore, as it is anchored in sound Qur'anic language and Islamic epistemology (and ontology), this model of "oppressed-oppressor" has a distinctive Islamic legitimacy and authority.

Therefore, territoriality is loosely conceptualized as *ummah* that has physical aspects, cultural traits, and lingua franca. Within *ummah* polities, *dawlah* (states) emerged and evolved historically into *watan* (fatherland, which expresses the link between group of peoples and a specific geographical location). The Islamic term for *watan*, land, place, house, or abode is called *dar*, which was divided into two according to eighth-century juristic interpretations: the abode of Islam (*dar al-Islam*) and the abode of war/enemy (*dar al-Harb*). There are also several contested abodes such as the abode of truce, agreement, treaty, or of friendly nations where Muslims are minority in non-Muslim regimes. The Hanafis had comprehensively conceptualized territoriality (*ikhtilaf al-darayn*) and had outlined several factors that describe their territorial concept (e.g., residence, legal status of the person, security, etc.). On the other hand, the Shi'a version of abodes rests in their Qur'anic dichotomy of "oppressed-oppressor," albeit having a vague and questionable notion of territoriality. The legitimacy of an authority's jurisdiction over a territory is sacrosanct to God's sovereignty, which is discussed in the next section.

## Muslim Views on Sovereignty

Islam is fully endowed with sovereignty (*hakimiyyah* in Arabic) (Khatab 2002), which is evidently stated in the Qur'an (3:26): "O God, Lord of Sovereignty! Thou givest sovereignty to whom thou pleases, and takest away sovereignty from whom thou pleases. Thou exaltest whom thou pleases, and basest whom thou pleases. In thy hand is all good for thou hast power over all things." As Asad (1980, p. 39) understands it, "the real source of all sovereignty is the will of God (Sabet 2008, p. 190) as manifested in the ordinance of the Shari'ah." But the operational method (i. e., any form of government) to realize the insistence of the Qur'an and Sunnah regarding God's sovereignty and enforcement of Islamic laws depends on the maturity and goodness of the *ummah* (Iqbal 1986). Therefore, sovereignty lies in the revealed messages of God as embodied in Shari'ah (Khatab 2006), and it is not for the ruler or clergy (*ulama* or jurists) to monopolize it (Ayubi et al. 2009). According to Khatab (2002, p. 147), "the significance of the term *hakimiyyah* rests in its political meaning. . . . This means that Allah is the only 'Hakim' or Sovereign and He has the right to ordain the program of human life; people must live according to the Shari'ah ordained by Allah in the Qur'an and the Sunnah." Consequently, the holder of supreme authority is God alone.

The legitimate goal of the Muslim community is the advancement of its public interest (*maslaha*) and of public welfare or common good for all Muslims. This is very similar with the early, pre-Westphalian Western conception of sovereignty, which was articulated in terms of responsibility for the common good (Johnson 2014). In the premodern world, European kings were divine in character, unlike the sultans or Muslim political elites who were fallible and were granted legitimacy on the basis of defending the sovereignty of God through His divine laws. The concept of sovereignty was realized in modernizing the Ottoman Empire in the nineteenth century (Steunebrink 2008), and the sultan utilized it to centralize his authority and eliminate the traditional system of checks and balances. Belkeziz (2009) stipulated that the basis of *hakimiyyah* supports the idea that the power to authorize and legislate excludes human beings and that only God is capable of doing so. He presented that Abul A'la Maududi (b. 1903, d. 1979), the first Islamist thinker, argued for a theocratic form of government, and not democracy, in an Islamic state (Belkeziz 2009). For Islamists, *hakimiyyah* is very similar with the propounded claim of the rule of Shari'ah as the only applicable system for Muslim societies. Thus, Shari'ah must be asserted in every Muslim nation's constitution because the supremacy of God's will symbolize sovereignty (Ahmed 2010).

Jackson (2011) criticized Maududi for resorting to unreliable *hadiths* after not getting textual aids supporting his thoughts from the Qur'an. He asserted that Maududi's interpretation of the Qur'an "does not take account of social conditions that existed in his time" (Jackson 2011, p. 111). For example, Maududi's "theodemocracy," a neologism that resulted from his personal understanding of Islamic sources, suggests that ordinary people has governing power under the sovereignty of God (Jackson 2011). Executive and legislative processes, in turn, must be done by consulting all Muslims until widespread consensus is reached.

Islamist thinking was a reaction of their deplorable political situation, just as so that Sayyid Qutb (b. 1906, d. 1966), the most prominent Islamist thinker, was reacting to Gamal Abdel Nasser's regime which persecuted Islamist groups. Qutb (1990, p. 17) ascribed sovereignty as the greatest attribute of God, which he meant that "only God's authority would prevail in the heart and conscience, in matters pertaining to religious observances and in the affairs of life such as business, the distribution of wealth and the dispensation of justice." The basis of his idea of God's sovereignty rests with his conception of "the great unity" and relations of God and his/her creation, life, humankind, and the universe (Khatab 2002). This conception argued for a greater unity among all Islamic sources, primarily the Qur'an and Sunnah, and their relations to all entities (living and nonliving things) in the world.

Qutb argued that all human activities, manners, and conducts must always relate accordingly to the ordinance of worshipping God (Khatab 2006). The acts of prayer and worship signify the supreme sovereignty of God. Every state institution and their political, social, and economic codes and laws should always be congruent with and fulfill the essence of worship to God. Qutb's understanding of *hakimiyyah* "maintains that the entire universe issued from the absolute will of God and is regulated by His law. Every part is in harmony with all parts, and everything is in an integrated unity. Every existing part has a reason for being that is related to this complete and absolute harmony" (Sabet 2008, p. 191). Sayyid Qutb was basing his idea of sovereignty on the following Qur'anic verses:

God keeps the heavens and the earth from falling. Should they fall, none could hold them back but He. (35:41)

There is not a creature on earth whose sustenance is not (provided) by God. He knows its resting place and its repository. (11:6)

We created man; and we know the prompting of his soul, and we are closer to him than [his] jugular vein. (50:16)

It was Allah who made for you the night to rest in and the day to (give you) light. Allah is bountiful to men. (40:61)

It is Allah who has given you the earth for a dwelling-place and the sky for a canopy. He has given you shape and made your shapes beautiful, and has provided for your sustenance. (40:64)

It is He who has made the earth manageable for you, so walk about its regions and eat of His provisions. (67:15)

Who is it that will defend you like an entire army, if not the Merciful? Who will provide for you if He withholds His sustenance? (67:20–21)

(Khatab 2002)

Qutb's view of God's sovereignty is an innovative one (i.e., placing it as the "first pillar before Shari'ah") (Khatab 2002, p. 154), and he evidently supports it by citing historical events in early Muslim society during the time of the Prophet Muhammad. He believed that "Islam is a religion and a state" (Khatab 2002, p. 154) and that unity between religion and politics is the very nature and principle of Islam. Thus, a system of government is the most important element of Islamic polity. Khatab (2002, p. 154) implied that for Qutb, "practicing Shari'ah is the natural outcome of implementing *hakimiyyah* as the only creed of a society and that abiding by Islamic

law is the outcome of the belief that Allah is the only sovereign or *Hakim*. The legal implication of this is that there is no Islamic life before the belief that Allah is the only sovereign, even if the Shari'ah is practically implemented." Thus, for Qutb, Islamic government must impose Shari'ah and that the leader recognizes God's sovereignty. An important feature is that "the government in Islam legitimizes its authority not through the result of election but through its activity to facilitate the application of the law" (Khatib 2006, p. 35). Since God's sovereignty is the source of Shari'ah, then it is also the provider of legitimizing factor of its laws. Khatib (2006, p. 28) lists down the characteristics of Islamic government based on Qutb's conception of *hakimiyyah*:

- The system of government in Islam is not similar to any other systems.
- It is distinct from all forms of government in secular democracies.
- It is constitutional.
- It is not inherently theocratic or autocratic.
- The form of Islamic government has no impact on the Islamic identity of the state.

The primal basis of Qutb's conception of God's sovereignty is the declaration and confession of faith, that is, there is no god but Allah. It is the fundamental submission of a believer to the will of God, placing God as the sole owner of the believer's life and wholeheartedly giving God the authority of controlling his/her life, activities, rights, duties, and obligations via God's revealed messages and Shari'ah. Emanating the importance of *tawhid* (oneness of God) is the only credible theory of government; to go otherwise is considered idolatry or blasphemy. Thus, after accepting God's sovereignty and his view of an Islamic government, then other elements will smoothly follow: "justice on the part of the *hukkam* (rulers), obedience on the part of the *mahkumin* (ruled), and *shura* (consultation) between rulers and ruled" (Khatib 2002, p. 155).

Some scholars criticized Qutb's understanding of God's sovereignty, stating that *hakimiyyah* is not a Qur'anic term and that the word *hukm* mentioned in the Qur'an has no political meaning (Khatib 2002). *Hakimiyyah* as an Arabic word (used as a verb) means "to govern" and "to judge." This criticism was in line with Bassam Tibi's (2008, p. 85) argument that *hakimiyyah* is "not an authentic Islamic concept" because it cannot be found from primary and authentic Islamic sources. Since the start of Islamist movement (oftentimes referred to the establishment of the Muslim Brotherhood in Egypt by Hassan al-Banna in 1928), their view of Shari'ah "is based on the exclusive sovereignty of God" (Khan 2014a, p. 77), citing works of Ibn Taymiyyah, Maududi, and especially Qutb to justify their claims. However, Islamic modernists (e.g., Tariq Ramadan and Fazlur Rahman) contested that "Islamists have not fully understood that the Shari'ah is socially and historically constructed" (Khan 2014a, p. 77). In addition, Barnett (1995) argued that the Western concept of sovereignty has no real counterpart in the Arab-Islamic history, but instead it can be equated with postcolonial Arab nationalism movements.

Sovereignty is commonly understood as "the will of God," which was advanced by Islamists in the twentieth century. Before that time, it was understood as the promotion of public welfare as the ultimate goal envisaged in *Shari'ah*, including



a sovereign part that is bestowed to the subsequent disciples of the Prophet who became leaders of Muslim societies. Its success further depended on the maturity and goodness of the *ummah*. In addition, Islamic modernists argued that Islamists wrongfully understood sovereignty and that the root word used in the Qur'an meant "to govern." Thus *hakimiyyah* (sovereignty) is nowhere to be found in the Qur'an, but most Islamists supported their claims from "contested" *hadiths* or sayings of the Prophet and based it from their personal understandings, without looking into the classical scholarship of Islam from early times to the Middle Ages. In the present times, the assertion that symbolizes God's sovereignty can be found in the constitutions of Muslim nations.

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## Conclusion

Notions of and relations between Islam and the "international" are underexplored, especially in the discipline of International Relations (IR). How does contemplating the "international" based on Islam enhance our theoretical understanding of the social world and its consequent realities? Would contemplation and use of applied research provide better understanding of Muslims and of Islam within the realm of IR? How will the study of Islam and IR contribute to the approach and movement of "Global International Relations" spearheaded by Amitav Acharya (2014, 2016)? These are some of the questions that encourage further research to better understand the idea of the "international" as expressed not only in Islam but in different other societies. The domain of how Islam is specifically characterized as a mover of state interactions and relations must also be studied further. Another key feature that can be explored is how European modernity had greatly impacted the nature and trajectories of state actors in the international system, as modernity explicitly advanced the domain of the secular and constrained the domain of the religious. Moreover, there is an extensive corpus of knowledge on Ottoman diplomacy, Islamic political thought, and pre-Islamic history that need greater attention in order to link premodern diplomatic affairs with modern Muslim state affairs. Consequently, the study provided one aspect of understanding Islam and International Relations through analysis at the level of the state. However, it recommends studying empirical cases of contemporary Muslim state interactions where Islam has profound influence over foreign policymaking and implementation.

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