Doctrine of *Hijrah* and Emergence of Muslim Communities in the West

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Abstract

The presence of Muslims in the West is not recent; their existence in the West dates back centuries. Like other minority groups, Muslims, as a religious minority, have been influenced by their circumstances. Human migration has impacted the culture, lifestyle, and habits of indigenous peoples, as migrants bring their faiths and religious traditions with them. Historically, migration occurred from the East to the West and vice versa for centuries. However, in the last two centuries, this migration has primarily been from developing to developed countries in search of a better future and employment opportunities. The doctrine of hijrah *(migration) in Muslim legal thought, along with the emergence of Muslim communities in non-Muslim regions and their interactions with non-Muslims, has long been a subject of discussion among Muslim jurists. This research explores the formation of Muslim communities in non-Muslim countries and assesses the current situation in light of historical and contemporary discourses. Therefore, discussing classical concepts related to migration and the past and present emergence of Muslims in the West is appropriate. This article analyses various writings of classical and contemporary Muslim scholars on the issues of* hijrah *and Muslims' settlement in the West.*

Keywords

Muslim communities, *hijrah*, migration, West, Islam, Islamic law.

Hijrah and its Significance for Establishing Muslim Communities

Concept of Hijrah

In the Islamic context, the term *hijrah* is used to describe the migration of Prophet Muḥammad (peace be on him) from Mecca to Yathrib (Medina) in 622 CE. Lexically, *hijrah* means separation and abandonment. It is also used to refer to moving from one place to another. The term *hijrah* is from the root, *h-j-r*, which describes cutting oneself off from friendly relations.[1] Its use in the Qur'ān reflects various meanings. One of its meanings is "to cut someone off from friendly association."[2] It is also

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[1] Muhammad al-Faruque, "Emigration," in *Encyclopaedia of the Qur'ān*, ed. Dammen McAuliffe (Leiden: Brill, 2002), 2:18.

[2] W. Montgomery Watt, "Hidjra," in *The Encyclopaedia of Islam*, ed. Bernard Lewis et al.

used to mean "to avoid association with."[3] Another use of the word is in the meaning of fleeing from or the opposite meaning of connectivity.[4]

The word "*hijrah*" also means ending a mutually friendly relationship. Thus, it properly does not mean "flight," rather its original meaning is the "breaking of the ties of kinship or association."[5] The term is frequently employed to describe the datum of escaping from the land ruled by non-believers to connect the society of Muslims.[6] Migration or *hijrah* has manifested among the Muslim community since its beginning. It is reported that Prophet Muḥammad directed a few believers to emigrate to Abyssinia for their protection from the torments of the people of Mecca.[7] The emigration to Abyssinia was so successful that this area was given special status in Islamic history. It was the only territory that allied with the Islamic state as *dār al-ḥiyād*.[8] The emigration to Abyssinia is named the first *hijrah* in Islamic history. The details of this event were reported in various sources of *ḥadīth*, *sīrah*, and Islamic history. The accurate number of emigrants to Abyssinia is not known. Historians have reported different numbers. Al-Ṭabarī mentioned that eighty-two Muslims emigrated to Abyssinia. However, Ibn Saʻd reported a higher figure of 116.[9] In this famous historical event (615-622 CE), the Christian king the Negus agreed to provide refuge for Muslims who were being persecuted by the Meccans. He welcomed them, protected them, and allowed them to freely practice their faith in his kingdom.[10] This first migration of Islamic history took place on the directives of Prophet Muḥammad.

2nd ed. (Leiden: Brill, 1986), 3:366. Also see Qurʾān 4:34-38.

[3] Qurʾān 73:10. Also see ibid., 4:34.

[4] Muḥammad b. Mukarram Ibn Manẓūr, *Liāsn al-ʻArab* (Beirut: Dār Ṣadīr, n.d.), 5:250. Also see Qurʾān 74:5.

[5] Watt, "Hidjra," 3:366.

[6] Sami A. Aldeeb Abu-Sahlieh, "The Islamic Conception of Migration," in "Ethics, Migration, and Global Stewardship," special issue, *International Migration Review* 30, no. 1 (1996): 37, doi:10.2307/2547457.

[7] Muḥammad Ḥamīd Allāh, *Majmuʻat al-Wathāʾiq al-Siyāsiyyah li ʾl-ʻAhd al-Nabawī wa ʾl-Khilāfah al-Rāshidah* (Beirut: Dār al-Nafāʾis, 1985), 100.

[8] A non-Islamic land that was recognized as a sovereign state for several centuries without having concluded a truce with the Muslims.

[9] Al-Faruque, "Emigration," 2:18-23.

[10] Haggai Erlich, *Ethiopia and the Middle East* (London: Lynne Rienner Publisher, 1994), 16.

After various efforts to find an appropriate place for establishing Islamic society, including Taif, Prophet Muḥammad successfully negotiated with the major Arab tribes of Yathrib and reached an agreement with their representatives at the place of al-ʻAqabah during the *ḥajj* of 622 CE. By this agreement, these tribes agreed to provide shelter for the Muslims in Medina and defended them by force if required. Before his journey, Prophet Muḥammad encouraged his Meccan followers to migrate to Medina. Consequently, about seventy of his followers emigrated to Medina in small parties. Prophet Muḥammad and his closest Companion Abū Bakr, with their families, waited in Mecca for divine directions about their migration.[11]

The Event of the Hijrah *of Prophet Muḥammad*

The emigration of Prophet Muḥammad from Mecca to Yathrib is an important historical event of Islam. It is named *hijrah* (migration) and plays a significant role in Islamic law, culture, thought, and civilization. The details of this historical event were reported by many Companions and recorded in many authentic early sources of Islam. These sources report various dates of this event, such as May 31, 622, June 28, 622, September 23, 622, and November 11, 622. The differences in the reporting dates are due to the calculation of this event based on pre-Islamic calendars as the Islamic calendar later started from the year of *hijrah.* The majority of reports state the day of departure as Monday, and some say it was Tuesday when the Prophet left for Medina.[12] The Islamic sources based on concurrent (*mutawātir*) reports reveal that the journey of the Prophet was not directly to Yathrib. He first left Mecca for a cave in Thawr mountain and remained there around for a few days before leaving for Yathrib. After analysing various reports about the Prophet's *hijrah*, F. A. Shamsi prepared a chronological order of the journey of the Prophet. According to his calculation, the Prophet started his journey from Mecca on Thursday (1st day of *hijrah*). His first stopover was at Thawr Cave from Friday to Sunday. He departed on Monday (5th day of *hijrah*), walked through the camp of Umm Maʻbad on Tuesday, and reached around Yathrib by the twelfth dawn of *hijrah.* He stayed at Qubāʼ for four days before his arrival to Yathrib. The first visit of the Prophet to the city was on Friday (16th dawn of *hijrah*). He stayed in Qubāʼ for fourteen days from the twelfth to the twenty-fifth day of *hijrah.* He finally moved to the house of Abū Ayyūb on Monday, the twenty-sixth day of *hijrah.*[13] This historical event marks the commencement of the

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[11] Ibid., 3, 6.

[12] See F. A. Shamsi, "The Date of Hijrah (I)," *Islamic Studies* 23, no. 3 (1984): 189-90.

[13] Ibid., 217; Shamsi, "The Date of Hijrah (II)," *Islamic Studies* 23, no. 4 (1984): 289.

Islamic calendar.

Debate about the Obligation of Migration to the Islamic Land

The debate on the classification of the world based on territories is related to the question of whether Muslims can reside in a non-Muslim land or they must emigrate to *dār al-Islām* (abode of Islam). The question "where Muslims can reside?" is as old as the concepts related to *dār*. This question is followed by another question related to the conditions in which it is legitimate for a Muslim to abode in non-Muslim countries. As the opinions of scholars vary on territoriality in Islamic perspectives, a similar diversity of views is found in the answers to these questions. These views represent the trends in Islamic thought on the issue that developed to address the matter in accordance with the local challenges. The parameters that have been used by Muslim scholars, from the time of Prophet Muḥammad till today, are not limited to the question of rule of the political authority but also involve a variety of aspects that may declare dwelling in a particular area permissible, prohibited or optional.[14]

It was one of the most important obligations of the Muslims to emigrate to Medina after the emigration of the Prophet to this new centre of the Muslim community. Despite clear instructions from the Prophet, some Muslims stayed in Mecca while secretly practising their faith. After the Prophet's *hijrah*, emigration to the land of Islam was a condition for embracing Islam. The Qur'ān urged the Meccan believers to connect to the newly established society in Medina as follows:

> As for those whose souls are taken by the angels (at death) while they are in a state of injustice against themselves, they will be asked by the angels, "What state were you in?" They will answer, "We were oppressed in the land." And the angels will say, "Was not God's earth large enough for you to migrate?" . . . . Whosoever leaves his country in the cause of God will find many places of refuge and abundance on the earth.[15]

This verse asks Muslims to escape from oppression without stipulating the nature of oppression. The direction to flee from oppression in this verse is without identifying any particular regime. This general command instructs Muslims to stay wherever they do not suffer any cruelty. In these verses, it was not obligatory for the Muslims to migrate to Abyssinia or to return to Medina after the journey of the Prophet Muḥammad towards Yathrib.[16]

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[14] Sarah Albrecht, *Dār Al-Islām Revisited: Territoriality in Contemporary Islamic Legal Discourse on Muslims in the West* (London: Brill, 2018), 63–64.

[15] Qur'ān 4:97-99.

[16] Albrecht, *Dār Al-Islām Revisited*, 70.

Some Qur'ānic verses declare a general obligation on Muslims to leave infidels' territory and join a newly established community of Muslims in Medina.[17] However, the nomads who converted to Islam but were not interested in settling in Medina were allowed to stay in their territories. Qur'ānic verses indicate that migration was necessary to protect Muslims from persecution. Their migration strengthened the Muslim community and weakened the infidels. For this reason, phrases like believer, migrant, and striver in the path of Allah have been used together in the Qur'ān.[18] Those who emigrated to Medina were named *muhājirūn*, while their hosts who greeted them were named *anṣār*. Due to their specifications for each other, Allah Himself, through the directives of the Qur'ān, created an association between the immigrants and those who sheltered them. However, such association was not allowed with Muslims who had not migrated until they did it. It was also directed that if these non-migrated Muslims seek help in matters related to faith, it will be the obligation of the believers to aid them if it is not forbidden by any treaty.[19] The *muhājirūn* had abandoned all their belongings back in Mecca. They also broke all links (including family) with the infidels.[20] To strengthen ties among the various members of the community and resolve financial problems, the rich were urged to help the poor.[21] The Prophet also introduced a legal framework for social reconstruction of the post-migration Medina through the Pact of Medina (*mīthāq al-madīnah*) between the *muhājirūn, anṣār*, and Jews living in Medina.[22] Muslims were prohibited from taking friends from non-believers until they would flee in the way of Allah.[23] Through the new communal system, financially weakened individuals were provided with incentives. A part of the war's spoil was given to the immigrants, who were mentioned in the Qur'ān before the residents.[24] Through post-*hijrah* steps, the Prophet established a fraternity between all Muslims.[25] This included the application of inheritance rights as prescribed by the Qur'ān based on next of kin.[26] Till the conquest of Mecca, migration to

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[17] Qur'ān 4:89, 100; 8:72; 9:20.

[18] Ibid., 2:218; 8:72, 74, 75; 8:20; 16:110.

[19] Ibid., 8:72.

[20] Ibid., 9:23.

[21] Ibid., 24:22.

[22] Ḥamīd Allāh, *Majmūʻat al-Wathāʼiq al-Siyāsiyyah*, 59; Abu-Sahlieh, "Islamic Conception of Migration," 38-39.

[23] Qur'ān 4:89.

[24] Ibid., 59:8-10.

[25] Ibid., 49:10; 3:103; 9:11.

[26] Ibid., 33:6.

the land of Islam was the implicit condition of embracing Islam, and new converts were bound to make a pact to migrate to the Muslim community.[27] However, the Prophet abolished the obligation of migration after the conquest of Mecca in 8/630. It is reported that after embracing Islam, Mujāshiʿ b. Masʿūd requested the Prophet to take his pledge for *hijrah*. On this occasion, the Prophet said that *hijrah* was no more required after the conquest of Mecca.[28]

When Prophet Muḥammad assumed authority in Medina and founded a state in which Muslims were provided with new signs of unity, such as the oneness of God, finality of Prophethood, and centre of worship. After taking important strategic and administrative steps to ensure safety and security, he directed the emigrants of Abyssinia to return to Medina but did not force them to do so. Scholars like Majid Khadduri have offered reasons for the special treatment of Abyssinia, based on *ḥadīth*s and their classical interpretations. For him, there were two factors behind this unique position. First, from a strategic point of view, Abyssinia was unassailable due to its geographical location, territorial limits, and physical condition. Second, from a doctrinal view, it is stated that the Prophet has given several favourable remarks about the Abyssinians' straightforwardness, bravery, and integrity.[29] Another reason for considering Abyssinia impregnable was a warning of the Prophet against an attack on their land because of "Ethiopia's roughness and the mountains and rugged valleys and sea that lies between it and the Muslims."[30] Muslim Jurists and theologians determined the status of Ethiopia based on many other *ḥadīth*s and *āthār.* Many sayings of the Prophet are reported in favour of Abyssinians. An oft-quoted Prophetic tradition says, "Leave the Abyssinians alone, so long as they leave you alone."[31]

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[27] Al-Faruque, "Emigration"; Khaled Abou El Fadl, "Islamic Law and Muslim Minorities: The Juristic Discourse on Muslim Minorities from the Second/Eighth to the Eleventh/Seventeenth Centuries," *Islamic Law and Society* 1, no. 2 (1994): 143-47, doi: 10.2307/3399332; Abou El Fadl, "Striking a Balance: Islamic Legal Discourse on Muslim Minorities," in *Muslims on the Americanization Path?*, ed. Yvonne Yazbeck Haddad and John L. Esposito (Oxford: Oxford University Press, 2000), 50; Andrew F. March, *Islam and Liberal Citizenship: The Search for an Overlapping Consensus* (Oxford: Oxford University Press, 2009), 166–67.

[28] Aḥmad b. ʿAlī b. Ḥajar al-ʿAsqalānī, *Fatḥ al-Bārī Sharḥ Ṣaḥīḥ al-Bukhārī* (Beirut: Dār al-Maʿrifah, 1379 AH), 4:47, ḥadīth no. 1834.

[29] Majid Khadduri, *War and Peace in the Law of Islam* (Baltimore: The Johns Hopkins Press, 1955), 256-57; Albrecht, *Dār Al-Islām Revisited*, 62.

[30] Albrecht, *Dār Al-Islām Revisited*, 62.

[31] Abū Dāwūd Sulaymān b. al-Ashʿath, *Sunan* (Beirut: Dār al-Kutub al-ʿIlmiyyah 1935),

Migration and its related debates have been relevant since the first migration to Abyssinia to present. In the early centuries of Islam and the medieval ages, the focus of the debate was on those who embraced Islam faith and lived in the areas of non-believers or on Muslims living in areas that fell to non-Muslims. During the colonial period, when the colonial powers dominated the majority of Muslim lands, the issue took many new dimensions and new interpretations of *dār al-Islām* and *dār al-ḥarb* emerged. After the emigration of many Muslims to Europe and the USA, new Muslim minorities emerged in various Western countries. When their situation was assessed in the light of classical interpretations of *dār al-Islām, dār al-ḥarb, dār al-'ahad*, and *hijrah*, a renewed discourse on the issue emerged particularly among scholars living in the West. Two new interpretations of *hijrah* became prominent during the Umayyad caliphate (661 CE and 750 CE). According to one understanding, *hijrah* was considered a movement from the rural mode of living to the urban one.[32] Many commentators of the Qur'ān used the terms *muhājir* and *a'rābī* as opposing terms.[33] According to the doctrine of the Azāriqah,[34] a sect of Khawārij, territories that were not in their control were a part of *dār al-kufr* and emigration to their campus was obligatory. Their doctrine was based on considering all Muslims who did not emigrate to their territory unbelievers.[35]

The Evolving Positions of Jurists on the Obligation of Migration

Khaled Abou El Fadl has evaluated the opinions of classical jurists on the question of whether emigration to Muslim lands is obligatory. He explored opinions from the first five Islamic centuries and concluded that the jurists' positions on the issue were not unsystematic. He observes:

> Well-formulated, recognisable schools of thought on the problem of Muslims in non-Muslim territory emerged only after the sixth/twelfth century. As always, these schools of thought manifest a richness of

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ḥadīth no. 4309; Aḥmad b. Shu'ayb al-Nasā'ī, *Sunan* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1980), ḥadīth no. 3176.

[32] Ibn Khaldūn, *The Muqaddimah: An Introduction to History*, trans. Franz Rosenthal (London: Routledge, 1968), 1:255-56. It refers to Hajjāj b. Yūsuf reproaching Salamah b. al-Akwa' on going back to desert.

[33] Mḥammad b. Jarīr al-Tabarī, *Jāmi' al-Bayān* (Beirut: Dār al- Ma'rifah, 1986), 4:77. Al-Ṭabarī refers to Mujāhid, Qatādah, 'Ikrimah, Ḥasan, Ibn 'Abbās, and others who maintained that Muslims at the Prophet's death were of the following three categories: 1) *muhājirūn*; 2) *anṣār* ; and 3) *a'rāb* who accepted Islam but did not migrate.

[34] Azāriqah were one of the famous groups of the Khawārij. The founder of this group was Nāfi' b. al-Azraq al-Ḥanafī al-Ḥaẓalī. He was the first who contested Khawārij ideology and supported more cruelty against opponents.

[35] R. Rubinacci, "Azāriḳa," in *The Encyclopaedia of Islam*, ed. B. Lewis, Ch. Pellat, and J. Schacht, 2nd ed. (Leiden: E. J. Brill, 1986), 1: 811.

diversity and many minor variations. Each school adopted a cohesive position which it applied, at times, with compulsive rigidity.[36]

The focus of early scholars from the various schools of legal thought was on the obligation of migration of the converted Muslims who resided in non-Muslim territories. Unlike other matters, the scholars of one legal tradition were not on the same page. It is reported from Abū Ḥanīfah (d. 150/767) that staying in non-Muslim territories is not approved and immigration from non-Muslim territories to Muslim lands is obligatory. However, a denial of this obligation is reported from Muḥammad b. al-Ḥasan al-Shaybānī (d. 189/804). Despite this ambiguity among the Ḥanafī jurists, generally, they discouraged permanent stay in non-Muslim lands. However, they do allow temporary residence for diplomatic or business purposes. The Mālikī scholars seem to be on one page regarding this issue. Scholars such as Mālik b. Anas (d. 179/796) and Saḥnūn b. Saʿīd al-Tanūkhī (d. 240/854) prohibited Muslims from permanently staying or travelling to the non-Muslim territories. They opined that residence under infidel rule may force them to obey non-Islamic laws. However, some later Mālikī intellectuals, for instance, Ibn ʿAbd al-Barr al-Qurṭubī (d. 463/1071), permitted Muslims' temporary stay in non-Muslim lands as long as they felt safe and hoped to dominate over non-Muslims in future.[37] In contrast to these views, Muḥammad b. Idrīs al-Shāfiʿī (d. 204/820) held that Muslims were allowed to reside in non-Muslim regions as long as there was no fear of being led away from their faith.[38] He argued that the nature of this obligation of emigration to Islamic lands has to be decided individually on a case-to-case basis.[39] Similar to the general views of Ḥanafī and Mālikī, the majority of Shīʿī scholars opposed the residence of Muslims in non-Muslim territories. In their opinion, it is feared that in such a situation, Muslims may not be able to obtain expertise in religious matters. However, similar to the opinion of al-Shāfiʿī, Jaʿfar al-Ṣādiq (d. 148/765) stated that Muslims could live in any territory where they would have access to justice and knowledge.[40] Muslim jurists who allowed believers to inhabit non-believers' territories (permanently or temporarily) generally maintained that this *amān* is granted to an individual, ensuring safe conduct.[41] In this

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[36] Abou El Fadl, "Islamic Law and Muslim Minorities," 153.

[37] Ibid., 149; Albrecht, *Dār Al-Islām Revisited*, 65.

[38] Muḥammad b. Idrīs al-Shāfiʿī, *Kitāb al-Umm* (Mansurah: Dār al-Wafāʾ, 2001), 5:366.

[39] Ibid.

[40] Abou El Fadl, "Islamic Law and Muslim Minorities," 145-49; Abou El Fadl, "Striking a Balance," 50-51.

[41] Albrecht, *Dār Al-Islām Revisited*, 66.

regard, formal treatises are not necessary, rather implicit permission to reside in that land may be sufficient.[42]

The political and strategic situation of the Muslim territories changed after the loss of Muslim territories in favour of Mongols in the East and Christians in the West after the eleventh century CE. After the conquest of vast Islamic territories by the non-Muslims, the question of residence in occupied territories became more pressing. It was a new phenomenon in the Islamic civilization in which large Muslim populations were forced to reside under non-Muslim rule. The situation contributed to the development of systematic but more rigid juristic positions on the matter. Muslims lost their authority to apply Islamic law after their territories were detached from *dār al-Islām.* The majority of Mālikī jurists responded to the loss of Islamic lands of Iberia by endorsing a resolute and rigid position. They adopted an uncompromising position post-eleventh century. Famous Mālikī jurists, such as Abū Bakr Ibn al-ʿArabī (d. 543/1148), Ibn Rushd (d. 595/1198), and Sufi master Muḥyī ʾl-Dīn Ibn al-ʿArabī (d. 638/1240), instructed the Muslim residents of the conquered lands to emigrate to Muslim lands. They even outlawed temporary trade visits to non-Muslim lands.[43]

When Marbella fell to Christians in 1445, a large number of Muslims were converted to Christianity by force. To address this situation, Aḥmad b. Yaḥyā al-Wansharīsī (d. 913/1508) issued a *fatwā* in which he reemphasized the obligatory nature of migration. He was of the view that Muslims in new subordinate positions would not be able to live per Islamic teachings:

> Dwelling among the unbelievers, other than those who are protected and humbled peoples (*ahl al-dhimmah wa al-ṣaghār*), is not permitted and is not allowed for so much as an hour of a day. This is because of the filth, dirt, and religious and worldly corruption which is ever-present [among them].[44]

Mālikī jurists such as Muḥammad al-Māzarī (d. 536/1141) assumed that the decision of Muslims to inhabit the land of non-believers was not necessarily unethical as it might result from an erroneous

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[42] See Abou El Fadl, "Islamic Law and Muslim Minorities," 175–76; March, *Islam and Liberal Citizenship*, 185–86; Khadduri, *War and Peace in the Law of Islam*, 163–73; Albrecht, *Dār Al-Islām Revisited*, 66.

[43] See Abou El Fadl, "Islamic Law and Muslim Minorities," 148; Abu-Sahlieh, "Islamic Conception of Migration," 44–45; Kathrryn A. Miller "Muslim Minorities and the Obligation to Emigrate to Islamic Territory: Two fatwās from Fifteenth-Century Granada," *Islamic Law and Society* 7, no. 2 (2000): 256-88; Albrecht, *Dār Al-Islām Revisited,* 66.

[44] Alan Verskin, *Oppressed in the Land? Fatwās on Muslims Living under non-Muslim Rule from the Middle Ages to the Present* (Princeton: Markus Wiener, 2013), 22. Also see Abou El Fadl, "Islamic Law and Muslim Minorities," 154–56.

interpretation. He further elaborated that Muslims may reside in non-believers' territories if they work for the renaissance of Islamic rule or preaching of Islam.[45] In contrast to this position, certain Mālikī scholars marinated with pragmatism. Mālikī scholar Aḥmad b. Abī Jumuʿah al-Maghrāwī al-Wahrānī (d. 1511), after the city had fallen into the hands of the Christians, issued a *fatwā* for the Muslims in Granada. He advised them to profess their faith secretly if they wanted to stay in Granada. He also permitted them to say prayers other than fixed timings. He even allowed them to leave the prescribed kneeling and prostration. He also gave them concessions on consuming pork and alcohol or exercising usury if it could be useful for them to avoid arrest.[46]

In response to new situations after the Mongols conquered the East of the Muslim world and the Christians occupied Andalusia, Ḥanafī and Shāfiʿī jurists redefined their views on the question of residing in non-Muslim lands. Unlike most Mālikī jurists, they argued that Islam must exist in the territories that fell to non-Muslims. They maintained that these territories are not part of *dār al-kufr*. Therefore, Muslims do not need to emigrate from these territories. The majority of Shāfiʿī jurists maintained that such occupied territories remained *dār al-Islām*, arguing that some Muslims were residing there. The Shāfiʿī al-Māwardī (d. 450/1058) suggested that Muslims should continue to stay there and observed that "settling in such a country is preferable to moving away from it as others would be likely to convert to Islam [through him]."[47] Other Shāfiʿī jurists, such as al-Nawawī (d. 676/1277), Ibn Ḥajar al-ʿAsqalānī (d. 852/1449), and Aḥmad al-Ramlī (d. 1004/1596) endorsed the opinion of al-Māwardī.[48] Al-Nawawī further advanced the idea and said,

> If one hopes that, by remaining, Islam might spread in his place of residence, then he must reside there and not migrate, and also if it is hoped that Islam might prevail there in the future."[49]

In reply to a question related to the situation of Muslims after the Reconquista, al-Ramlī contends that this territory is *dār al-Islām* because of Muslims' residence therein and it is not obligatory for them to emigrate as they are practising their religion through their services in a new situation. He argues that Prophet Muḥammad permitted Muslims to abode in non-Muslim lands if this would encourage others to embrace

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[45] Abou El Fadl, "Islamic Law and Muslim Minorities," 151; March, *Islam and Liberal Citizenship*, 107; Albrecht, *Dār Al-Islām Revisited*, 67.

[46] Albrecht, *Dār Al-Islām Revisited*, 70.

[47] This opinion is reported by al-ʿAsqalānī, *Fatḥ al-Bārī*, 7:230.

[48] Albrecht, *Dār Al-Islām Revisited*, 68.

[49] Muḥyī ʾl-Dīn al-Nawawī, *al-Majmūʿ Sharḥ al-Muhadhdhab* (Beirut: Dār al-Fikr, 2000), 22:5.

Islam. However, he concludes that this territory would be changed into *dār al-ḥarb* if Muslims were to leave it.[50]

Shāfi'ī jurists further maintained that a territory lost by Muslims will certainly not return to *dār al-kufr* because this land is apparently *dār al-kufr* but not legally. However, the continuation of Muslims' abode in that land will be contingent on their subscription to its Islamization. They have the opinion that if Muslims have the fear of losing Islam or oppression, it will be preferable for them to migrate. However, if they feel that their stay among non-Muslims can help propagate Islam, it's better not to emigrate. If they have the opportunity to maintain an autonomous and independent position, living in non-Muslim territory will be obligatory for them.[51] Abou El Fadl has identified other aspects of Shāfi'ī jurists who maintained that Muslims should always struggle for a land in which they can practise their religion freely. This means that a Muslim should also leave a Muslim land where corruption is widespread. He quoted the opinion of Muḥammad b. Aḥmad al-Khaṭīb al-Shirbīnī (d. 977/1570) that in case of the spread of corruption in all territories, the obligation to migrate drops altogether.[52] The Shāfi'ī jurists maintained that emigration could be recommended, non-recommended, or prohibited, subject to the situation that Muslims faced in the occupied territories. The Shāfi'ī jurist Imām al-Ḥaramayn al-Juwaynī (d. 478/1085) is of the view that if it is possible, the believers ought to travel to better places but this obligation would not apply if the entire population cannot emigrate. In such a situation, they must work to maintain their power and meet their needs.[53]

The opinions of Shāfi'ī jurists were developed in phases. The contribution of jurists of the tenth/sixteenth century is considered well-formulated. Abou El Fadl believes that the juristic writings of the fifth century did not manifest the same level of refinement.[54]

The position of Ḥanafīs is different from both Mālikīs and Shāfi'īs.

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[50] Verskin, *Oppressed in the Land?*, 31–33; Abou El Fadl, "Islamic Law and Muslim Minorities," 159–60; Shams al-Dīn al-Ramlī, *Nihāyat al-Muḥtāj ilā Sharḥ al-Minhāj* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1993), 8: 82; Albrecht, *Dār Al-Islām Revisited*, 68.

[51] Al-Ramlī, *Nihāyat al-Muḥtāj*, 8:82; Muḥammad b. Aḥmad al-Khaṭīb al-Shirbīnī, *Mughnī 'l-Muḥtāj* (Cairo: Muṣṭafā al-Bābī al-Ḥalabī, 1971), 4:239; Abou El Fadl, "Islamic Law and Muslim Minorities," 163.

[52] Al-Shirbīnī, *Mughnī 'l-Muḥtāj*, 4:239; Abou El Fadl, "Islamic Law and Muslim Minorities," 163.

[53] See 'Abd al-Malik al-Juwaynī, *Ghiyāth al-Umam*, ed. 'Abd al-'Azīm al-Dīb (Cairo: al-Maktabah al-Kubrā, 1401 AH), 475-522, especially 476, 486, and 488; Abou El Fadl, "Islamic Law and Muslim Minorities," 181; Albrecht, *Dār Al-Islām Revisited*, 69.

[54] Abou El Fadl, "Islamic Law and Muslim Minorities."

Unlike Mālikīs, they allowed Muslims to stay in territory that fell to non-Islamic rule. Unlike Shāfiʿīs, they did not declare it obligatory to stay in such lands. Ḥanafī jurists such as al-Kāsānī (d. 587/1191) and Ibn ʿĀbidīn (d. 1252/1836) asked Muslims not to leave such lands, considering that they were capable of living peacefully and following their faith.[55] Ḥanafīs are of the view that an area that non-believers govern can be considered equally a portion of *dār al-Islām* as long as the *sharīʿah* laws are applicable there. They further stated that a part of Muslim territory would not change automatically to *dār al-kufr* only because non-Muslims occupied it. To become *dār al-kufr,* a territory needed to fulfil three conditions: 1) The rulings of infidels are implemented; 2) The occupied area is parted from all other Islamic territories; 3) The protection extended by the previous Muslim government to the subjects of Islamic state (Muslims and *dhimmī*s) is withdrawn.[56]

The jurists who had this view maintained that the areas that Mongols or Christians occupied were Islamic territories as long as Muslims were allowed to say prayers and their disputes were resolved by the Muslim judges. Some Ḥanafī jurists view that territory will remain a part of *dār al-Islām* even if only one law of Islam is executed there. As a consequence of this juristic position, Muslims were under no obligation to emigrate and were encouraged to stay there if they felt safe.[57]

Ḥanbalī and Shīʿī jurists have assumed a compromising view as they had not faced a dilemma to the extent of Mālikī scholars. They state that a practising Muslim may desire to live in a non-Muslim community. But this permission will be treated as a political favour. However, Ḥanbalī jurists particularly stressed the superiority of Muslim land even in the worst conditions and discouraged Muslims from living in the territory that is classified as *dār al-ḥarb*.[58] Shīʿī jurists were not worried about the legal status of lands. They are concerned with the issue of the residence of Muslims in a territory whose inhabitants are indulged in sins, even if

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[55] See Albrecht, *Dār Al-Islām Revisited*, 68.

[56] Muḥammad Amīn Ibn ʿĀbidīn, *Radd al-Muḥtār ʿalā ʾl-Durr al-Mukhtār* (Beirut: Dār Iḥyāʾ al-Turāth al-ʿArabī, 1987), 3:252; Abū Bakr b. Masʿūd al-Kāsānī, *Badāʾlʿ al-Ṣanāʾiʿ fī Tartīb al-Sharāʾiʿ* (Beirut: Dār al-Kutub al-ʿIlmiyyah, 1986), 7:130-31; Abou El Fadl, "Islamic Law and Muslim Minorities," 162.

[57] Abou El Fadl, "Islamic Law and Muslim Minorities."

[58] Abou El Fadl, "Islamic Law and Muslim Minorities," 159, 162, 172; Steven Gertz, "Permission to Stay in 'Enemy' Territory? Ḥanbalī Juristic Thinking on Whether Muslims Must Emigrate from non-Muslim Lands," *The Muslim World* 103 (2013): 94-106, https://doi.org/10.1111/j.1478-1913.2012.01419.x; Albrecht, *Dār Al-Islām Revisited*, 69.

this land is officially classified as *dār al-Islām*.[59]

The reason for adopting the intermediatory position by Ḥanbalī and Shīʿī jurists was that they had confronted the occupation of Muslim lands to a lesser extent compared to the Mālikī, Ḥanafī and al-Shāfiʿī jurists of the fifth/thirteenth century. Similarly, Mālikī jurists faced the harsh reality of the occupation of Muslim territories by Christians and Mongols. But the territorial circumstances were not the same for the Mālikī, Ḥanafī and al-Shāfiʿī jurists. Both Ḥanafī and al-Shāfiʿī jurists belonged to the regions that were attached to the heartlands of Islam. This affected their responses, which became refined and discerning. They differentiated between Islam and the lands of Islam. So, they concluded that Islam could exist in any territory, even if it is non-Muslim. They further stated that it is morally imperative for believers to uphold Islam in non-Muslim lands. Moreover, they declined to accept that lands occupied by non-Muslims essentially changed into non-Muslim lands.[60]

The issue of *hijrah* is continually engaging Islamic rationale. The enquiries, which were valid for Muslims of Andalusia and Sicily during the sixth/twelfth century, were challenged by the Muslims of other lands in various periods. On the occupation of Bosnia-Herzegovina by Austrians, a representative from Bosnia contacted Rashīd Riḍā (d. 1935) and told that an intellectual from Ottomans had asked the Muslims of Bosnia to emigrate to Muslim territories. Riḍā asked them to reject the juristic opinion of the Ottoman jurist and suggested that they should stay in their homeland.[61] The concept of *hijrah* served as a symbol of resistance and rebellion during the colonial period. It encouraged mass movements, such as the migration of Indian Muslims to Afghanistan in 1920.[62]

This exploration of the past may lead to advancing the discourse on Muslim communities in the Western world to new dimensions.[63]

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[59] Albrecht, *Dār Al-Islām Revisited*, 68-69.

[60] Abou El Fadl, "Islamic Law and Muslim Minorities," 164.

[61] Rashīd Riḍā, *Fatāwā 'l-Imām Muḥammad Rashīd Riḍā* (Beirut: Dār al-Kitāb al-Jadīd, 1970/1971), 2:773-78. Also see Maḥmūd Shaltūt, *al Fatāwā* (Cairo: Dār al-Shurūq, 1980), 430-34.

[62] See John O. Voll, "Mahdi's Concept and Use of Hijrah," *Islamic Studies* 26, no. 1 (1987): 31-42; Muhammad Khalid Masud, "Shehu Usuman Dan Fodio's Restatement of the Doctrine of Hijrah," *Islamic Studies* 25, no. 1 (1986): 56-77; Rudoph Peters, *Islam and Colonialism: The Doctrine of Jihād in Modern History* (The Hague: Mouton, 1979). Gilles Kepel, *Muslim Extremism in Egypt*, trans. J. Rothschild (Berkeley: University of California Press, 1986).

[63] Abou El Fadl, "Islamic Law and Muslim Minorities,"180-87.

Muslims' Interaction with Non-Muslim Societies in the Early and Medieval Period

Islam is one and universal and its fundamental principles apply to all Muslims regardless of their place of residence. Still, evolution, transformation, and adaptation to various social and cultural environments are permitted. Muslims in the West have settled in new societies, and those who desire to remain faithful to the principles of Islam must face the challenges of their time and society. A Muslim group migrated to the Christian Abyssinia in 615 CE before the Prophet migrated to Medina. This is considered the first-ever migration to a non-Muslim state in the history of Islam.

Prophet Muḥammad and his Companions set a dynamic example by establishing their state in Medina. After the Prophet's demise in 632 CE, the Muslim community immediately built an empire which had conflicts with neighbouring non-Muslim states. Considering safety and freedom to practise religion, many jurists insisted on living in Muslim-majority areas only.[64] Some opinions assert that the obligation to migrate ended with the takeover of Mecca and argue that it is better to live under a ruler who is just no matter whether Muslim or non-Muslim. Similarly, a few nomads (a'rāb) embraced Islam but declined to settle in Medina. Moreover, some Muslims preferred to stay in Mecca and refused to migrate to Medina.[65] The Qur'ānic verses and traditions about migration were used by many groups in certain political and theological contexts in the early period of Islam, for instance, the obligation to migrate to Muslim territories used by the Umayyad rulers for mobilizing political support.

One finds distinct juridical discussions concerning the historical context of every era.[66] There were hardly any discussions by Muslim jurists about Muslims residing in non-Muslim states, in the course of the first four Islamic centuries; rather, jurists discussed it as a hypothetical case. However, when massive Muslim lands were invaded by Mongols from the East and by Christians from the West in the

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[64] Watt, "Hidjra," 3:366-67; M. Naeem Qureshi, "The 'Ulamā' of British India and Hijrat of 1920," *Modern Asian Studies* 13, no. 1 (1979): 4; Masud, "Shehu Usuman Dan Fodio's Restatement of the Doctrine of Hijrah," 56-77.

[65] Al-Nawawī, *al-Majmū'*, 19:262-63; Abū Dāwūd, *Sunan*, ḥadīth no. 2477; 'Alā' al-Dīn al-Hindī, *Kanz al-'Ummāl* (Beirut: Mu'assasat al-Risālah, 1985), 16:654-55.

[66] Muhammad Hamidullah, "Ex-Territorial Capitulations in Favour of Muslims in Classical Times," *The Islamic Review* 38 (January 1950): 33-35; Hamidullah, *The Muslim Conduct of State* (Lahore: Sh. Muhammad Ashraf, 1977), 121-29; Bernard Lewis, *Political Language of Islam* (Chicago: University of Chicago Press, 1988), 104-5; Husayn Munis, ed. and trans., *Asnā 'l-Matājir fī Bayān Aḥkām Man Ghalaba 'alā Watanihi 'l-Naṣārā wa lam Yuhājir* (Madrid: Revista del Instituto Egipcio de Estudio Eslamicos, 1957), 5:135-36.

thirteenth century CE, it became a burning question of discussion for Muslim jurists. Notable Muslim inhabitants lived in non-Muslim lands particularly in India and China in the eighth century CE.[67] When huge numbers of Muslim inhabitants became victims of non-Muslim supremacy in Messina and Sicily in 1100 CE, the issue related to the status of Muslim minorities was highlighted.

Arab Muslims conquered vast areas of the east Mediterranean between 634 CE and 641 CE. They occupied the Christian province of Egypt and defeated the Sassanid empire between 633 CE and 651 CE. Moreover, they dominated Christian North Africa and Christian Spain by 721 CE. Muslim army traversed the Pyrenees and captured southern France, Carcassonne, and Nimes in 725 CE. Muslim conquerors did not kill indigenous populations and left them in the majority but ultimately most of the population converted to Islam in many regions. However, the Christian Carolingian king expelled Muslims from South France and pushed them to Spain in 759 CE. Concurrently, the neighbouring Christian states in northern Spain slowly marched to the Iberian Peninsula. They suppressed the Muslims of the south and Al-Andalus by 1100 CE. By 1252 CE, Granada was the only Muslim kingdom there but it was also occupied in 1492, ending the Muslim rule of more than 700 years in Spain. A great number of Muslims, however, remained in Spain but eventually were forced to leave their faith and convert to Christianity. Many others emigrated to North Africa.

In 1095 CE, Pope Urban II urged the Christians of Western Europe to march to Constantinople to safeguard the East Roman Empire from Muslim invaders and retake Jerusalem. They successfully invaded the Mediterranean and captured Jerusalem, Tripoli, Edessa, and Antioch. However, Ottoman Muslims defeated Christians in the East in 1299 CE onwards. Ottomans deeply penetrated Southeastern Europe between 1453 and 1683 by defeating the Albanians, Bosnians, and Kosovar, and finally occupied Buda and Pest in Hungary between 1593 and 1676. The downfall of the Ottomans started from 1700 onwards, with the loss of vast lands in Eastern Europe due to the chains of insurgencies and battles; only Rumelia was left under the control of the Ottomans till 1912. Due to these historical events, Spain and Eastern European states were against Muslim immigrants from past Ottoman territories since these states had been confronting Muslims for seven hundred years.

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[67] Al-Tabarī, *Jāmiʿ al-Bayān*, 4:147-51; Abū ʼl-Qāsim al-Zamakhsharī, *al-Kashshāf* (Beirut: Dār al-Maʿrifah, n.d.), 1:292-93; Abū ʼl-Fidā Ibn Kathīr, *Tafsīr* (Cairo: Dār al-Khayr, 1988), 1:513-15; Maḥmūd al-Alūsī, *Rūḥ al-Maʿānī* (Beirut: Dār Ihyāʼ al-Turāth al- ʿArabī, 1985), 5:125-26; Abū Jaʿfar b. al-Ḥasan al-Ṭūsī, *Tafsīr al-Tibyān*, ed. A. Amīn and A. Qaṣīr (Najaf: Maktabāt al-Amīn), 3:302-3.

Emergence of Muslim Communities in USA, Europe and other Western Countries

Early Migration of Muslims to Western Countries

Humankind is progressing continuously because people migrate from one corner of the world to another. Many reasons, such as a better future, employment, wars, education, and poverty, are behind the massive contemporary wave of migration. Migration has affected the culture, lifestyle and habits of the indigenous people, who sometimes feel threatened. The migrants bring their faiths and religious traditions with them, too. In this situation, aloofness, estrangement, and alienation are no more practical options. The casing of remoteness, which previously protected diverse faith societies, is no longer available. This is the dilemma of modern man; however, this situation persuasively guides us towards negotiation among people of diverse beliefs.

This situation has affected Muslims as well. Many Muslims migrated to the West. In many cases, it is their third generation living in the West and the USA, but like people of other faiths, they still face integration challenges. On the one hand, they feel threatened due to the impact of the West on the new generation. On the other hand, the host societies are worried about their role in these societies due to problems of integration. This dilemma is also faced by the followers of other faiths but to a lesser degree. The problems and obstacles that impede immigrants' productive and positive role in host societies should be understood, identified, and discussed for better answers.

Muslims' presence in the West is not a new thing since Muslims invaded and ruled Europe i.e., Sicily, Northern Mediterranean shores, Pyrenees, and the Iberian Peninsula for hundreds of years. Muslim rule ended in Spain with the fall of Granada in 1492.[68] Ottomans defeated the Greeks in the Eastern Mediterranean and occupied Constantinople and the Balkans. Balkan territory achieved independence after the First World War, shortly before the collapse of the Ottoman Empire. Currently, the European native Muslim population includes Bosnians, Albanians and Kosovars.[69] Some twenty-three million Muslims are residing in 28 European countries, including some two million Muslims who arrived unlawfully and are still not formally allowed. It constitutes an overall twenty-five million Muslims, nearly five per cent of the

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[68] Bichara Khader, "Muslims in Europe: The Construction of a 'Problem,'" in *The Search for Europe: Contrasting Approaches* (Madrid: BBVA, 2015), 304.
[69] Ibid.

European population.[70] Islam reached mediaeval Europe through the doorway of Spain in 711 CE and left a unique and rich history there. During the centuries between 711 and 1492, Muslim Arab conquerors introduced a new religion, culture, civilised life, poetry, philosophy, art, and science to Europe.[71] When Muslims reached Spain, Catholic Christianity was firmly established. No other religion was allowed to practice, and laws were promulgated and enforced to ensure the full implementation of Catholic Christianity.[72] Muslims remained tolerant towards Christians who enjoyed freedom under Muslim rule and were allowed to build new churches.[73]

Presently, five to six million Muslims, including immigrants, are residing in America. In the seventeenth and eighteenth centuries, many West African Muslims were vended into bondage in the Trans-Atlantic human trade in America. This business had been initiated by the Portuguese during the fifteenth century but was shortly dominated by British traders and finally ended in the nineteenth century.[74] It included not only the lower classes but also the royal classes of Muslims.[75] The Muslim existence was remarkably sensed during the nineteenth century in Bahia, Brazil, by the active participation of Hausa Muslims in slave revolts,[76] as it was tough for these Muslim slaves to preserve and transfer their belief to the succeeding generation in Africa. Islam reached America later on but could not influence many African Americans. In the late nineteenth century, a low number of Muslims migrated from

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[70] Ibid.

[71] Thomas Walker Arnold, *The Preaching of Islam: A History of the Propagation of the Muslim Faith* (Westminster: Archibald Constable, 1896), 112-13.

[72] Ibid., 114-15.

[73] Ibid., 116.

[74] Abdin Chande, "Islam in the African American Community: Negotiating between Black Nationalism and Historical Islam," *Islamic Studies* 47, no. 2 (2008): 221-41.

[75] For details, see Terry Alford, *Prince among Slaves: The True Story of an African Prince Sold into Slavery in the American South* (New York: Oxford University Press, 1986); John Franklin Jameson, "Autobiography of Omar Ibn Said, Slave in North Carolina, 1831," *The American Historical Review*, 30 (July 1925), 787-95; A. D. Austin, *African Muslims in Antebellum America: A Sourcebook* (New York: Garland, 1984); Austin, *African Muslims in the New World: A Sourcebook for Cultural Historians* (Boston: Garland, 1981); Sylviane Diouf, *Servants of Allah: African Muslims Enslaved in the Americas* (New York: New York University Press, 1998); Daniel Panger, *Black Ulysses* (Athens: Ohio University Press, 1982); Clyde-Ahmed Winters, "Afro-American Muslims from Slavery to Freedom," *Islamic Studies* 17, no. 4 (1978): 187-205; Richard Brent Turner, *Islam in the African-American Experience* (Bloomington: Indiana University Press, 1997), 11-12.

[76] Chande, "Islam in the African American Community"; Joao Jose Reis, *Slave Rebellion in Brazil: The Muslim Slave Uprising of 1835 in Bahia*, trans. Arthur Brakel (Baltimore: The Johns Hopkins University Press, 1993).

Ottoman areas to America. Until that time, Islam's existence in the African American community was nominal. At that time, many groups of African Americans were busy with "Black Religion" episodes beyond religious attachments.[77] The creation of the Nation of Islam (NOI) in the early twentieth century was dominated by the Marcus Garvey movement's instructions on character refinement and black pride and Booker T. Washington's (d. 1915) concepts of communal reform.[78] Until 1930, Wallace Fard Muhammad (d. 1934) was propagating a memorandum of optimism to American black people. Elijah Muhammad (d. 1975) became the leader of the NOI from 1933 onwards.[79] He condemned eating pork and drinking alcohol and launched cafeterias beside other businesses to stimulate and boost blacks' trade. The creation of the NOI was an outcome of maltreatment the black people experienced in society. Islam provided them with an alternative, an equal status to white people. It also provided a remedy to a society suffering from an ailment of prejudices and discriminations based on race and attracted the poor, captives and activists of various movements of black people.[80] Major harmonization of the NOI[81] with mainstream Islam took place after 1965 with the advent of immigrants from the

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[77] For details, see Edmund David Cronon, *Black Moses: The Story of Marcus Garvey* (Milwaukee: University of Wisconsin, 1955) and Sherman Jackson, *Islam and the Blackamerican: Looking Towards the Third Resurrection* (Oxford: Oxford University Press, 2005), 4.

[78] Moorish Science Temple movement of Noble Drew AH (d. 1929) instructed pride of race and claimed that African Americans were descendants of an "Asiatic race" known as the Moors.

[79] See W. D. Mohammad, *An African American Genesis* (Illinois: MACA Publications, 1986) and Mohammad, *Al-Islam Unity and Leadership* (Chicago: U.W. Mohammed, 1991).

[80] See E. U. Essien-Udom, *Black Nationalism: A Search for An Identity in America* (Chicago: University of Chicago Press, 1962); Martha F. Lee, *The Nation of Islam: An American Millenarian Movement* (Lewiston, NY: Edwin Mellen Press, 1988); Eric Lincoln, *The Black Muslims in America* (Boston: The Beacon Press, 1961); Elijah Muhammad, *Message to the Blackman in America* (Newport News, VA: United Brothers Communications Systems, 1992 [1965]); Malcolm X and Alex Haley, *The Autobiography of Malcolm X* (New York: Ballantine, 1973).

[81] After Elijah Muhammad's death in 1975, his son Wallace Muhammad shifted the NOI to the mainstream Islam, leading to a split with Louis Farrakhan, who founded a separate group but both continued to affirm the Black experience. For details, see L. H. Mamiya, "From Black Muslim to Bilalian: The Evolution of a Movement," *Journal of the Scientific Study of Religion* 21 (1982): 138-52; Clifton Marsh, *From Black Muslims to Muslims: The Transition from Separatism to Islam, 1930-1980* (Metuchen, NJ: Scarecrow Publishers, 1984); L. H. Mamiya, "Minister Louis Farrakhan and the Final Call," in *The Muslim Community in North America*, ed. Earle Waugh et al. (Edmonton: University of Alberta Press, 1983).

Middle East, India, and Pakistan. These immigrant Muslims increased the number of native American-born Muslims, including African Americans and white converts.[82] There were many other movements like the Darul Islam movement,[83] the Hanafi movement,[84] and Sufi orders inaugurated by Muslim immigrants.

Contemporary Emigration of Muslims to Western Countries

Migration from Eastern to Western countries and vice versa continued for centuries but for the last two centuries, this migration has usually been from developing countries to developed countries, particularly the West. The "West" generally denotes Europe, besides territories of substantial European arrangements, predominantly North America, Australia, and New Zealand.[85] Recently, the same phenomenon of migrations has also been seen in Asia, where new immigrant destinations are developing, such as Japan, Malaysia, Singapore, and Hong Kong. People are also moving to oil-rich Middle-Eastern countries but cannot settle there permanently, therefore, this study is confined to the areas where immigrants are settling permanently. The immigrants were welcomed in industrially developed countries as cheap labour, and it was not feared that they would settle in their host countries permanently. Later on, many took refuge in developed countries due to wars and terrorism in their countries of birth. Up to the 1970s, the migrants were living in developed countries without their families, intending to return to their homeland. So, the majority of them lived alone and without families. After the 1980s, the immigrants decided to settle permanently. This is particularly true for the Muslims. The lawful settlement in the United States increased after the statutory reforms in

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[82] Islamic centres, mosques, and national organizations such as ISNA (Islamic Society of North America), ICNA (Islamic Circle of North America), etc., are mostly funded by rich Muslim immigrants.

[83] Imam Yahya Abdul Karim initiated the movement in New York in 1970, but it evolved when Pakistani Shaikh Mubārak 'Alī Jīlānī attracted African-American Muslims to Sufi mysticism, leading to the establishment of Jamā'at al-Fuqarā' in 1980 and the division of Darul Islam into two smaller mosques in the city. For details, see Robert Dannin, *Black Pilgrimage to Islam* (Oxford: Oxford University Press, 2002), 74-78; R. M. Mukhtar Curtis, "The Formation of the Dār al-Islām Movement," in *Muslim Communities in North America*, ed. Yvonne Yazbeck Haddad and Jane Idleman Smith (Albany, NY: State University of New York, 1994), 51-74, especially 58-65.

[84] It was established in 1968 in New York by Hamas Abdul Khalis. By 1970s, it relocated its Hanafi Madhhab Center to Washington DC. See Kereem Abdul Jabbar and Peter Knobler, *Giant Steps: The Autobiography of Kareem Abdul-Jabbar* (NY: Bantam Books, 1983).

[85] The definition is geographical and historical rather than cultural. See "Islam and the West: Annual Report on the State of Dialogue 2008" (Switzerland: World Economic Forum Community of West and Islam Dialogue [C-100], 2008), 10.

1965. It has currently reached the level of one million each year, making it a nation of migrants.[86] Historically, it was Europe, particularly England, France and Spain from where the immigrants came to settle in the United States. However, after the reforms of 1965, the émigrés arrived from states of Latin America, the Caribbean, East and South Asia, Middle East and Africa, apart from Europe. Presently, migrants from Ireland, Poland, and ex-Soviet and ex-Yugoslavia states are also coming to the USA. Of people who migrated to the United States from 1985 to 1990, only thirteen per cent were born in Europe, Canada, Australia, or New Zealand. The new settlements are now global, and no longer limited to specific areas as they were before.[87]

The religious life of the immigrants was observed as follows:

Anyone who comes in this land is expected to relinquish much of what they brought from their homeland and assimilate into the ways of their new country. However, becoming an American does not typically require abandoning one's old religion in favor of a Native American equivalent. In fact, unlike language or nationality, retaining one's religion was often anticipated. America was shaped in such a way that it was often through religion that immigrants, and particularly their children and grandchildren, found an identifiable place in American society. Similarly, contemporary immigrants also find their place in American society through their religious practices.[88]

Modern residents of American culture have justified their place with their faith.

Along with religious life, immigration has also an impact on cultural life. It is one of the important facts which imply and accelerate a change of cultures, reflected also in space and cultural globalization. This growth suggests social modification by the diffusion of traditional methods and items transported through the public culture and worldwide cultural diligence.[89] Besides, the global flows of concepts, symbols, things, and wealth augment. While the former phenomenon basically "works" towards uniformity of cultures across the world, the latter, by contrast, implies their diversification, at least at the first stage

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[86] R. Stephen Warner, "Religion and New (Post-1965) Immigrants: Some Principles Drawn from Field Research," in "Globalization, Trans nationalism, and the End of the American Century," special issue, *Journal of American Studies* 41, no. 2-3 (2000): 267.

[87] Ibid., 268.

[88] Will Herberg, *Protestant, Catholic, Jew: An Essay in American Religious Sociology*, 2nd ed. (New York: Garden City, 1960), 27-28; Warner, "Religion and New (Post-1965) Immigrants," 271.

[89] Krystyna Romaniszyn, "The Cultural Implications of International Migrations," *Polish Sociological Review* 146 (2004): 141.

of the newcomers' arrival. Both of them amplify cultural change in the societies involved, including the (re)construction of landscapes. The cultural implications of international migrations entail, among others, the (re)constructions of landscapes "that are culture before they are nature." Thus, cultural change accelerated by migrations constitutes a meta-context for the spatial implications of migration studies and a relevant subject matter for landscape studies. The impact of migration on the cultures is outside the scope of this study. However, there is an important connection between culture and faith and their significance for each other.

Conclusion

The data presented in this research indicates that various positions that have been taken by various scholars on the issue of Muslims' migration from non-Muslim lands to Muslim lands and vice versa are heavily influenced by the political situation of the place and time. Hence, they may not be considered essential. The doctrine of *hijrah* is not static. Its role in political and religious discourses would be dynamic and continue to undergo subtle changes that may have innovatory significance. The clash may be inevitable, yet the solutions suggested by Muslim jurists are not even doctrinaire. Similarly, a methodical analysis of the grounds and then the reasoning of various jurists upon such a concept is needed to evaluate how much theoretical and historical challenges affected these views. The local power structure and socio-political context also influenced the understanding and position of each Muslim jurist. However, the opinions of the classical jurists may allow contemporary scholars to adopt the variety of ethical choices that emerged in response to different historical challenges. This investigation of the past may lead to advancing the discourse related to the Muslim communities in the West to new scopes.

Many Muslim migrants' third and fourth generations are living in the West and the USA, but like people of other faiths, they are still facing challenges in integration. One of their potential fears is the negative impact of the Western culture on the new generation. Another important challenge for them is the determination of their role in the host societies due to the problems of integration. This dilemma is also faced by the followers of other faiths but to a lesser degree. The problems and obstacles that impede the productive and positive role of immigrants in host societies need to be determined and addressed to find solutions in an appropriate framework.

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