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REFUGEE CRISES IN THE CONTEMPORARY WORLD: AN ISLAMIC PERSPECTIVE

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Abstract

The Issue of refugees is one of the fundamental political cum international humanitarian crisis in the contemporary world. This Contemporary crisis is by and large the result of political unrest, armed conflicts and violence within the Muslim World. Questions like how should these refugees be treated in the Muslim world? What is the status of refugees in Islam vis a viz Western world? What is the historical treatment given to refugees in Muslim civilization and should refugees be treated as citizens of the host countries? The main purpose of this paper shall be to find out answers to these questions while attempting to find a common ground between the two perspectives of how refugees shall be treated in the contemporary world.

Keywords: Jiwār, Amān, Must‘āmin, Refugee Convention, Potato Famine, UNDHR, CDHRI.

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Introduction

The refugee crisis highlights the unbridgeable divide between the inclusive logic of universal human rights and the nation state's right to keep undesirables out. Indeed, as a result of a unilateral definition process by the countries of destination, the refugee is a symbol of the inadequacy of a State-centric system in light of the demands for justice and belonging in the current global society. It also serves as a reminder of the shortcomings of our systems for protecting the weak and vulnerable, which are based on the fiction of national societies separated by national fences. The current refugee crisis is a perfect example of Europe's conflicted attitude toward and inability to control contemporary forced migrations. In spite of 'birthplace of political asylum and human rights', security issues, which today is dominant on a global scale, rules in Europe. Due to the largest influx of refugees and migrants since World War II, Europe has shown how arbitrary its

internal and exterior boundaries are (Zanfrini, 2022)¹. The fact that the refugee crisis arising out of the interference from the western countries, the accommodation and subsequent rehabilitation has been left mainly to the eastern countries leaving refugees with few avenues and leading them facing grave concerns for their basic necessities.

The issue of refugees is no alien to Islam and Muslim history. In fact, Islam was nurtured through the waves of migrations and being refugees. The persecution and suffering of Muslims in Mecca are well known (Mubarakpuri 1996: 92-98)² Which resulted in the migration of Muslims from Mecca to Abyssinia (615 C. E) and Medina (622 C. E). Muslims were treated with dignity and honor by the King of Abyssinia, called *Negus* (Najāshī, *Ashama Ibn Hajr*) which has a historical importance (Ishāq 2004:150-153)³. The human history has been a witness to the fact that it began with being Refugees as (Yousuf 2017: 1)⁴:

“Thus, the human story begins with banishment and a flight from one place to another: our first parents had refugee status. Fleeing and migrating as strangers to strange lands—and finding refuge—is a recurring story among the shared Abrahamic prophets”.

The research reveals that Islam was a forerunner in establishing the right to *Jiwār* (asylum). It is argued that *Jiwār* has become now a landmark of foreign policy in Islam”, being a combination of many noble traits as it means the protection of the lives, families, property and honour of individuals or groups (El-Wafa 2009:259)⁵. The right to have asylum and *Jiwār* are among the virtues of Pre-Islamic Arabia and Islam itself. The Migrants of Mecca were given refuge by the *Najashi*, similarly the Muhajirs of Mecca were given refuge by the Tribes of Aws and Khazraj of Medina. (Mubarakpuri 1996:145 & 168-177)².

With the inception of the foreign occupation of Muslim countries (Afghanistan, Iraq, Syria, Lebanon, Palestine, Myanmar etc.) and subsequent armed rebellions and other terrorist activities, there has been a huge influx of refugees from violence hit countries towards other Muslim and western countries. This influx of refugees was also necessitated by the 9/11 and subsequent US “War on Terror” Which displaced millions of people from the worst hit areas like that of Afghanistan and Iraq. This has led to the burning issue of how refugees shall be treated? Should they be treated like other citizens conferring rights and duties or as refugees with certain limitations? What has been the Historical treatment given to Refugees in Islam and Muslim Civilisation? To address these Questions, little attention has been paid and the matter has been mostly treated with reference to UNHRC and other European treaties and agreements. This paper in this backdrop, attempts to analyse how the issue of refugees has been dealt in the Islamic tradition and history.

Terminology and Meaning:

The Arabic word *Malja* (refugee) has many meanings, as a verb “to take refuge in a safe place such as fortress to ward off danger”; As a noun: “a place of refuge such as a fortress, mountain or cave” as mentioned in the Holy Quran:” *If they could find A place to flee to, or caves, or a place of concealment, they would Turn straightway thereto, With an obstinate rush*’ (Al-Qur’an, 9:57). There is another word *Isti’ādhah* (Saleh 2011: 29)⁶ meaning “Seeking Refuge”. This word is used in reference of seeking refuge from Satan. In Islamic tradition, A Muslim is required to

recite *A'ūdhu bi-illāhi min ash-shaytānir-rajīm*, meaning (I seek refuge in Allah from the cursed Satan).

The word “refugee” includes the Latin *fugere*, meaning “to flee”. The word is used for those who flee religious or political oppression and persecutions. These persons are entitled to another right given by God known as *Ḥaqq al-Īwa'*, “to seek and receive refuge.” (Yusuf 2017:2).⁴ This virtue of giving refuge is emphasised in this Verse;

‘But those who Before them, had homes (In Medina) And had adopted the Faith, — Show their affection to such as came to them for refuge, and entertain no desire in their hearts for things Given to the (latter), But give them preference Over themselves, even though Poverty was their (own lot). And those saved from the covetousness of their own Souls, — they are the ones That achieve prosperity’ (Al-Qur’an, 59:9)⁷

The most common terms used for the protector and the protected are “*Mujīr*” and “*Mustajīr*”. The contract between two parties where one asks for protection and the other grants it to him may be called “*Jiwār*”. Pre-Islamic *Jiwār* was basically an exchange of bounty between the *Mustajīr* and the *Mujīr*. While the *Mustajīr* got the material help and protection needed, the *Mujīr* received praise, fame and high status among the tribes. The genealogical system which was central to Mecca’s hierarchical socio-political structures in turn provided protection to ‘the Prophet from the polytheists of Mecca on many occasions. (Shoukri,2011:18)⁸.

Jiwār could in essence be defined as a contract between two parties where one asks for protection and the other grants it to him or her. Granting *jiwār* by definition meant providing protection and welfare to the *mustajīr*. The relationship between the two, however, ‘varied according to circumstances. Sometimes it was quite temporary, and other times it was permanent and even hereditary. At one time the protector only promised to aid his *mustajīr* against some particular enemy; at another time he undertook to protect him against all enemies. The concept of *Jiwār* underwent a fundamental change with the rise of Islam and the Muslim civilisation. Apart from carrying the primary understanding of granting protection, it also represented a divine path, of bringing the protected to Islam and assuring the protectors of heavenly benefits (Smith, 1903:51)⁹. *Jiwār*, when understood as a social pattern of cohabitation as well as a right and duty to protect the stranger, gives people the skills they need to resolve disputes in their own best interests without interference from the state's plans for spatial organisation and control. It makes room for the nurturing and care of relationships between locals and recent newcomers alike and permits the self to be constructed through interactions. The claim made here is that proximity renders the racial, ethnic, and linguistic specificities that make up the locality visible through regular interaction (Zaman, 2022)¹⁰. Both before and after the arrival of Islam, the *Mujīr* had the authority to offer the *Mustajīr* protection and support, and the clan to which the *Mujīr* belonged was bound to do so without interfering. The giving of *Jiwār* had a strong impact on the Arab world, where Islam first appeared. By guaranteeing *Jiwār*, the guarantor and the clan he belonged to amassed symbolic capital that increased the clan's standing and honour. As per the modern interpretation of protection, according to which the nation-state alone has monopolised the authority to give asylum, is contrasting with this view of *Jiwār* as protection. Muslims were facing persecution and social boycott in Meccan phase and were made to become refugees in the far lands like that of Abyssinia in 615 C.E. During this phase, Muslims were not in a position to take refugees and accommodate them. They only knew of seeking refuge not giving refuge until the persecuted Muslims migrated to Medina and established their own state and started to give refuge

to those in need. When the early Muslim community moved collectively from Makkah to Madinah during the *hijra*, *Jiwār* played a crucial role in securing the prophetic mission. When the Prophet returned from a Taif, Al-Mu'tim bin 'Adi granted him *Jiwār*, which the Quraysh later recognised as genuine (Shoukri 2011, 25-26)⁸. In fact, we find in this period examples of women giving *Jiwār* to non-Muslims and the Prophet himself endorsing this *Jiwār*. The account of the Prophet's daughter Zaynab giving *Jiwār* to her non-Muslim husband al-Ās Ibn al-Rabi is well known. The other example mentioned here is the *Jiwār* of Umm Hāni to two of her brothers-in-law of the Banī Makhzūm (Shoukri,2011:43)⁸. This shows how significant *Jiwār* was to Arab society. The principle of *Jiwār* 'became a Heavenly obligation on Muslims through the Prophetic practice and verses of the Qur'an'. Indeed, while the term *Mustajir* could refer both to Muslims and non-Muslims seeking protection, the *Muhajirūn* were exclusively Muslim emigrants in need of sanctuary, while the, *Musta'minun* included Muslims and non-Muslims who originated from outside of the Islamic states and required protection, or safe conduct, whilst living in an Islamic state. The word *Must'āman* is derived from the word *Aman*. The Islamic encyclopaedia defines it as 'safety, protection, safe conduct [and] *Must'āmin* is the person who has received an *amān*' (Bearman, 2000:429)¹¹.

The concept of *Jiwār* had its own social and economic implications. It was after the *Hijra* that the concept developed beyond protection and assistance began to be used as a code of conducting social relations. It was founded, to use modern terminology, as a long-lasting solution that facilitated local integration. The Prophet established a contract of brotherhood called the *Muākhā* (Brotherhood) in the first year of the *hijra* between 45 men from the *Muhajirūn* and an equal number from the *Ansār*, encouraging cooperation between the pairings in terms of material support, care, advice, and even extending to inheritance rights (though this latter clause was later to be repealed) (Zaman, 2022, 52)¹⁰. It is worth noting that the *Muākhā* was not merely between the *Muhajirūn* on one side and the *Ansār* on the other. It was actually between all sectors of society regardless of their position in the hierarchy at that time. The *Muhajirūn* themselves were bonded together as brothers by the *Muākhā*. Hence, the ultimate aim of the *Muākhā* was not just to help the destitute and needy immigrants, but to demolish the tribal ties and relations and build new allegiances based on religion alone. This new bond aimed at strengthening the internal front and constructing a harmonized society. It is argued (Shoukri,2011:93)⁸ that in the Islamic tradition there are three terms (*Mustajir*, *Muhajir* and *Mustā'min*) that come close to the meaning of the modern term "refugee".

Although there does not exist a direct equivalent of the term 'forced migrants' in Islamic tradition, reference to the term *Hijrah* and its derivatives do find its place in Quran about 27 times (Munir, 2011:4)¹². The Holy Qur'an along with the Sunnah of the Prophet Muhammad ﷺ is the foundation of contemporary refugee law (Al-Quran, 59: 9). Even though many of those values were a part of Arab tradition and culture even before Islam, this fact is not always acknowledged today, even in the Arab world. The international community should value this 14-century-old tradition of generosity and hospitality and recognize its contributions to modern law. Islamic *Shari'ah* has laid applicable rules and acceptable grounds for exercising the right to asylum, in form and content, in letter and spirit and in words and deeds. Observance of this right as enshrined by Islam is a duty for every zealous Muslims (El-Wafa 2009: 12)⁵. The custom of "Aman" (safety) implies the protection of asylum-seekers, whether they are believers or non-believers. This is clearly stated in Qur'an;

'If one amongst the Pagans Ask thee for asylum, Grant it to him, So that he may hear the Word Of God; and then escort him To where he can be secure. That is because they are Men without knowledge' (Al-Qur'an, 9:9).

At another place God promised forgiveness and recompense and called them true believers

Those who believe and adopt exile and fight for the faith in the cause of God as well as those who give (them) asylum and aid these are (all) in very truth the believers: for them is the forgiveness of sins and a provision most generous (Al-Quran: Al-Anfal: 74).

The above-mentioned verses of Al-Quran can be understood in the general amnesty given during the Conquest of Makkah (Hamīdullah 2019:273)¹³ those who had left no stone unturned to harm Muslims. The issue of refugees and their protection finds its place frequently in the *hadith* literature. There are around 650 *ahadith* regarding their protection and assistance (Zaat, 2007:6-7)¹⁴. The Summary of the *hadith* (Al-Sijistani 2008: 511-512)¹⁵ is, *He who enters the holy mosque is safe, He who enters the house of Abu Sufyan is safe; he who drops his weapon is safe, he who stays behind his closed door is safe.* It is well-established that granting asylum aims to provide safety and security to a refugee. This is evident from the Second Pledge of al-Aqaba (Mubarakpuri 1996: 157)² of allegiance that preceded Prophet Mohammad's Hijra (Migration) to al-Madinah. Before accepting the proposal from the representatives of the people of Al- Madinah (Old Yathrib) for migrating to Madinah, Prophet Muhammad ﷺ (Al-Shaybānī 2012 :10606)¹⁶ assured the representatives of Madinah, *"I will give a pledge of protection, provided you protect and defend me as much as you do your wives and children."*

Now the question arises under which conditions the asylum may be given in Islam? Islam treats all human beings same and as equal, being descendants of the same parents as in Quran;

'O mankind! We created You from a single (pair) Of a male and a female, And made you into Nations and tribes, that Ye may know each other (Not that ye may despise Each other). Verily The most honoured of you In the sight of God Is (he who is) the most Righteous of you. And God has full knowledge And is well acquainted (With all things)' (Al-Qur'an, 49:13).

Karam, or the concepts of hospitality and kindness, continue to be central to Arab and general Islamic culture (Chatty, 2014: 21-38)¹⁷. *The refugees are able to maintain their dignity even after seeking asylum.* The host gains prestige and honour for their respect and hospitality for the refugee (Shoukri 2011, 10)⁸ The instinct of welcoming refugees whole heartedly and at times treated like neighbours comes from the religion itself (Zaman, 2014, 61)¹⁰. In terms of giving asylum also, Islam doesn't distinguish between a Muslim and a non-Muslim refugee as it grants asylum to both in normal situations. If a non-Muslim wants to live under the protection of Muslim land, he is granted asylum. So, Islam adopts a broad definition of refugees as compared to the refugee convention of 1951 and 1967 protocol relating to the definition of refugee *as a person who faces persecution.* Imam Ibn-Abdus-Salam said;

"If someone sentenced to death flees from the ruler, who dispatches someone after him to kill him and the former appeal for our protection, we will defend and protect him, for it is our duty to give protection as long as we know not of the incidence. But once we know the

inside story, we would help him. The reward lies in assisting him because it is our duty as enjoined by Allah the Almighty (Salam 1991:59)¹⁸.

The arrival of the large number of refugees in the west meant that the western state and legal apparatus was not ready to accept the same. It had to make amendments to its long standing historical legal system which wasn't easy as it faced several barriers and took too long. The arrival jolted the existing practices and thus making it difficult for the refugees to be able to stay, and it led to severe strain upon their reception (Loescher, 2011,2)¹⁹. Western governments have restrained their legal system making access difficult. The restrictions come from many sides including issuing visas, locking them in detention centers, and placing restrictions on their movement. The ultimate purpose being to limit the number of refugees. The refugees in west are caught in xenophobic, racial and political tensions and the governments are forced to make laws to reduce the 'security issues' brought about by the huge influx of refugees.

United and UNHCR on Refugees:

The recent United Nations Higher commissioner for Refugees (UNHCR) statistics show that there are around 89.3 million forcibly displaced people worldwide. At the end of 2021, 27.1 million are refugees, 53.2 million are internally displaced people, and 4.6 million are asylum seekers. The most striking aspect of the statistics is that 83% of the refugees are being hosted by the developing countries and the rest by the developed. 72% are hosted by neighbouring countries. Another important aspect of the said statistics is that among the five largest refugee host countries, Muslim Majority countries in Asia stood ahead with Turkey standing at top with 3.7 million refugees. Turkey hosts the largest number of refugees, with 3.7 million people. Colombia is second with more than 1.7 million, including Venezuelans displaced abroad (as of ending -2021) (UNHCR website*)

Turkey	3.8 million
Colombia	1.8 million
Uganda	1.5 million
Pakistan	1.5 million
Germany	1.3 million

More than two thirds of all refugees under UNHCR's mandate and Venezuelans displaced abroad come from just five countries (as of mid-2021). (UNHCR website*)

Syrian Arab Republic	6.8 million
Venezuela	4.6 million

Afghanistan	2.7 million
South Sudan	2.4 million
Myanmar	1.2 million

**UNHCR data is collected through its annual statistical activities with some data going back as far as 1951, the year UNHCR was created. The above data has been taken from UNHCR website; <https://www.unhcr.org/en-in/figures-at-a-glance.html> (accessed on 04-11-2022)

United Nations held a convention on the status of refugees under the heading *Convention and Protocol Relating to The Status of Refugees 1951*. In July 1951, United Nations Higher commissioner for Refugees (UNHCR) gave the term “refugee” a very clear definition;

“A person who is outside his/her country of nationality or habitual residence; has a well-founded fear of persecution because of his/ her race, religion, nationality, membership of a particular social group or political opinion; and is unable or unwilling to avail himself/herself of the protection of that country, or to return there, for fear of persecution.” (UNHCR convention 1951:14)²⁰.

There has been only one amendment to this convention until now and that was done with the inclusion of 1967 UNHCR Protocols. The original convention was limited in scope to persons fleeing events occurring before 1 January 1951 and within Europe. The 1967 Protocol removed these limitations and thus gave the Convention universal coverage. It has since been supplemented by refugee and subsidiary protection regimes in several regions as well as via the progressive development of international human rights law.

The right to have asylum from persecution has been granted by United Nations through the Universal Declaration of Human Rights (UNDHR) 1948. The right to asylum has been mentioned in article 14 of the declaration of UNDHR. It says (UN General Assembly 1950:48)²¹ *‘Everyone has the right to seek and to enjoy in other countries asylum from persecution’*. The UNDHR prompted Muslim Countries to rethink and reinforce the call for securing human rights including right to have asylum. It led the Universal Islamic Declaration of Human Rights, adopted by the Islamic Council of Europe on 19 September 1981/21 *Dhul Qaidah* 1401. The Universal Islamic Declaration on Human Rights (UIDHR) categorically entitles a person to be granted asylum unless that asylum is not motivated and used for purposes which are contrary to the interests of the host countries. The declaration declares;

Every persecuted or oppressed person has the right to seek refuge and asylum. This right is guaranteed to every human being irrespective of race, religion colour and sex. (Azzem 1998:105)²². The UIDHR was substituted by Cairo Declaration on Human Rights in Islam (CDHRI) because of not being sufficient as critiqued by (Olayemi et.al 2005: 30)²³ and having no representation from Organisation of Islamic Countries (OIC) members and it was presented to the United Nations’ Human Rights’ Council (UNHC) for adoption. As fortunately, the presentation of the document was successful as it was subsequently adopted. Hence, the emergence of the CDHRI, 1990 as- the only acceptable and practicable International Islamic Instrument on human rights.

Are They Refugees or Citizens?

Every religion has a cosmology, a foundational narrative of how the earth was habituated by us. In all three Abrahamic faiths, Islam being the last one, we find the beginning of human life as an outcome of banishment and taking refuge as mentioned in (Al-Quran: Al-Baqarah).

‘We said: “O Adam! dwell thou and thy wife in the garden and eat of the bountiful things therein as (where and when) ye will but approach not this tree or ye run into harm and transgression’. ‘Then did Satan make them slip from the (garden) and get them out of the state (of felicity) in which they had been. We said: “Get ye down all (ye people) with enmity between yourselves. On earth will be your dwelling place and your means of livelihood for a time’

Thus, human arrival begins with banishment and a flight (Migration) from one place to another, our first parents had refugee status. These instances of fleeing and taking refuge somewhere in strange lands is Shared in all Abrahamic Prophets. The Prophet Abraham fled from *Nimrud*, the king to the “Land of Canaan”; the Prophet Moses and the Children of Israel were enslaved in Egypt and fled to Sinai; the Virgin Mary fled with Joseph from Jerusalem to Egypt to protect her child; the Prophet Muhammad’s ﷺ community fled the persecution of the Meccans and migrated to Ethiopia, and the Prophet Muhammad ﷺ himself was a refugee, fleeing Mecca to migrate to Medina (Yusuf 2017:1)⁴. The Qur’an reminds us (Al-Quran, 9:118) *‘And they perceived that There is no fleeing from God (And no refuge) but to Himself’*.

The Islamic notions of *Hijrah* (migration/forced migration) and *Muhājirūn* (migrants/refugees) are derived from pre-Islamic customs of hospitality and acceptance of strangers in the Arabian Peninsula as well as from Jewish and Christian regulations about "sojourners" and "aliens.". In fact, asylum is particularly important in Judaism, Christianity, and Islam. Moses, Jesus Christ, and Muhammad—the three founders—all went through exile and sought refuge in other countries. Asylum is a symbol of neighbourly love and charitable assistance in the three monotheistic religions. Islam's idea of asylum is not all that dissimilar from the other two monotheistic religions' ideas of sanctuary. Contrary to Islam, however, protection of refugees in Judaism and Christianity lacked official legal standing and had a narrower focus. Islamic refugee law, known as *Hijrah*, is highly advanced and comprehensive; perhaps even more so than contemporary refugee law (Elmadmad, 2008: 52-53)²⁴.

The proud heritage of protecting the refugees lies with Muslims right from the era of *Hijrah*. The heritage stems from the teachings of the Quran and the Historical examples of the Prophets of Allah. The Islamic history and tradition is full of instances of seeking and providing refuge to those facing persecution in terms of religion, life and property. Islam also provides a framework for their protection and grants rights of dignity, shelter, healthcare and protection of property. The modern nation states work on the new international norms keeping in view their own interests first. The same applies to Muslim states too. In spite of that around 50% of the refugees are hosted by them (Kidwai, 2014: 3)²⁵. The International Ministerial Conference of the Organization of Islamic Cooperation (OIC) on Refugees in the Muslim World held in Ashgabat, Turkmenistan stressed on the need of the refugee treatment and protection given fourteen centuries back in the Islamic State of Medina. The conference declared that in accordance with the idea of global solidarity, cooperation, and burden-sharing, the international community should increase funding for supporting and helping States that host refugees in conjunction with UNHCR and other

pertinent international organisations. The declaration further stressed that countries who are experiencing a significant influx of refugees should be supported by the international community in accordance with the concepts of equitable burden sharing.

Being a refugee is essentially a temporary phenomenon and it is more so in case of political refuge. The state of being a refugee is under pressing times and meant only for temporary residence, so Citizenship can't be granted merely on these grounds. However, it may be granted when the refugee intends to stay permanently or over a longer period of time. What we can take from is the argument that refugees may not be treated at par with the native citizens. The Citizenship rights may be conferred upon refugees but they might not be treated as citizens mainly because of their intention of going back to their native states (Islamic Fiqh Academy (IFA) India 2015:43)²⁶.

The difference between the rights of refugees and native citizens is upheld when the refugees aren't there to stay permanently. That is because the ultimate journey of the refugee will be his own country rather the host after the situation in his native country is peaceful and suitable for him to return. Maulāna Khalid Sāifullah Rahmāni (IFA 2015:91)²⁶ opines that the refugees may be given every necessity of life except citizenship.

Conclusion

The etymology of the word “refugee” includes the Latin *fugere*, which means “to flee.” The persons who are have been persecuted and persecution has forced them to flee, and whether that persecution is religiously or politically motivated, they are entitled “to seek and receive refuge.” Muslims are expected to help their brothers who are in need. This virtue of preferring of others on their own interests has been expressed by Quran (Al-Quran, 59:9) in the following way;

‘But those who Before them, had homes (In Medina) And had adopted the Faith, — Show their affection to such As came to them for refuge, And entertain no desire In their hearts for things Given to the (latter), But give them preference Over themselves, even though Poverty was their (own lot). And those saved from The covetousness of their own Souls, — they are the ones That achieve prosperity’.

The students of Hadith are taught the foundational Hadith (Al-Sijistānī :4941)¹⁵; “*Those who show mercy will be shown mercy by the Merciful Himself; have mercy on those in the earth, and the One in Heaven will have mercy on you.*” This is a foundational tradition, and scholars are in agreement that “*on those in the earth*” covers all peoples regardless of colour, creed, or country. Apart from the foundational precedents of helping the distressed and giving refuge, Muslim civilization has many great examples of serving the Creator by serving His creation. In 1492, the Ottoman (Ayalon 2012: 309-325)²⁷ Bayezid II youwelcomed over 150,000 (Levenson, 2012)²⁸ Jews fleeing Spanish persecution (of Christians to Turkey, granting them citizenship and then building beautiful synagogues (Karkazis, 2016)²⁹ for the newly arrived refugees. In the 1840’s, during the Irish Potato Famine (Ebhlín 2016:1)³⁰, Ottoman Sultan Abdul-Majid sent not only money but ships with grain to provide relief for the needy. The Sultan offered to send amount of 1.7 million, which was double than that of the aid sent by the British Queen Victoria.

A refugee is qualified to be a person prone to risks and always on the verge of being expelled from the host country. The status of being refugee maybe individual sometimes or it may be a company in the shape of a family. A person saves himself from the persecution he faces in his country, to a country of asylum. It is not only personnel persecution that draws one out from a country, there may be a mass exodus happening as a result of political, religious, ethnic or military conditions. The issue of asylum seekers and refugees is one of the most talked about subjects in contemporary politics, fuelled by extensive coverage in the media. The refugee crisis has been on a rapid rise since the dawn of conflicts both within and between nation states. The armed conflicts, border disputes and communal riots along with other financial, social and political reasons have contributed greatly towards refugee crisis. Although having denied it, the western countries are blamed for intervening in the internal conflicts of the effected countries and later on apparently making selective measures to host refugees.

Refugee and Asylum seeker are terms heard on all sides today, making headlines in newspapers, screened on television screens, as pointed out by (Whittaker 2006:1)³¹ parliamentary discussions and debates, within electoral campaigns, and in women's associations. Millions of people are suffering from the hostile regimes and armed conflicts and are forced to migrate and take refugee by putting their lives on every possible risk. The recent Taliban takeover in Afghanistan forced thousands of people particularly those who were working for the U.S for last twenty years to flee the country, The Rohingya refugees from Myanmar are living is another Human disaster, facing harsh rules and regulations and are deprived of even Internet connectivity in Bangladesh. There are also talks of deporting the Rohingya refugees from India. Amid this situation, it is high time that there is proper legislation on this grave issue and they are accorded the respect and rights they deserve by being human.

The movements are difficult to gauge with any accuracy. As already mentioned in the statistics above, to add to that, there are at least 4.3 million stateless people, 35 million refugees who are children and around 1 million children who were born as refugees. This fearful scenario of millions fleeing their native places, leaving their properties and families divided, in turmoil and danger, being deprived of a normal life because of internal or external conflicts and persecution is voicing loudly upon the settled and peaceful communities of the civilised world to come to their rescue, adopt them, give them their rights of living a peaceful and settled life. These victims of persecution and conflict seek safety and opportunity elsewhere. These children need the most urgent attention from the global community for safeguarding their lives in earliest and protecting their futures and subsequently next generation.

The resurgence of the idea and practise of *Jiwār* challenges us to reevaluate how rights and privileges are distributed. It demands a questioning of the ummah's geographical location and pushes us to look outside the bounds of methodological nationalism. Binaries of citizen and non-citizen are complicated by the discursive shift toward relations of neighbourliness. Less vocal opinions are included in the discussion as a result of the concurrent departure from ideas of deserving and undeserving. It challenges us to reevaluate rights and duties in light of those who are in attendance.

It is that noble tradition of service to others, helping others and fulfilling their needs has always been a part of the Islamic tradition, that is urgently needed today, Refugees have always been a part of life on earth and as we are overwhelmed with a refugee crisis that the world has not seen since World War II. Our response is a test of our mettle and a reflection of our national

character, and it will shape our own future for better. Prophet Muhammad ﷺ has taught us” (Al-Tirmidhī:1332)³² “There is no leader who closes the door on someone in need or one suffering in poverty except that God closes the gates of the Heavens during his time of need. We shall reap what we sow, and now is the time for sowing seeds of solace. In due time as (Yusuf 2017:2)⁴, God willing, we might reap the rewards of the righteous.

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