Exploring Fundamental Perspective on Migration

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ABSTRACT

The paper attempts at exploration of conceptual maps derived from the Islamic values to address the issues of migration in the backdrop of some crucial developments in the contemporary settings. Mankind has been ennobled by God by providing him the means to move across the oceans. Migrations have been undertaken to break the shackles of slavery and oppressions for actualising man's quest for obeying God only. Migrations, forced migration, migrations for saving one's faith have duly been taken care of by the Islamic ethical injections. Recognition of others, legal and cultural rights is the corner store of Islam's ethical framework. While it ensures the protection and development of individual, society and communities right to profess a faith and its cultural preference, it allow for positive interactions among communities. Softer states with cultural and educational autonomous communities are better suited to the migrant rights in the new countries. However Reverse Mass Migrations, a contemporary phenomenon has been largely engineered by the materialistic West for ensuring its preponderance in the world. Islamic ethical framework in multicultural and multistate world with reference to migration is defined for short and long terms.

Key Words: Migration, Reverse Migration, Islamic Ethics,

1. Introduction

Islamic paradigm of International relations (*Ilm al Siyar*), *Dar al-Islam, Dar al-Harb, and Dar al-Ahd* has successfully been providing guidelines to the Islamic States with non-Muslim states, ethics of war and peace and response and obligation of Muslim States to Muslim minorities living in non-Muslims states. This framework developed by Islamic jurists was derived essentially from *Qur'an*, the Prophet's Sunnah and the precedents of the companions (*Momin 2017:244*). It has been established by the scholars that Islam recognizes the existence of independent, sovereign non-Muslim states and accords legitimacy to the establishment of peaceful relations between Muslim and non-Muslim states (*Hamidullah 1996:242*). Over the period of time, owing to developments, post Renaissance man, which led to positivist philosophy, hence materialist development, creating colonial and neocolonial world order (disorder). Migrations, Mass Migrations and

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Reverse Migrations had intensive global factors generally responsible for it. The scriptural and juristic principles can be employed for the development of secondary and tertiary paradigms to address the migration issues. Multi-state and multicultural world demands that the dignity of individual ad the community must be protect by allowing them the freedom and autonomy for the easy access to material resources, autonomy for educational and cultural development. The States need to be an instrument and covenant and utilitarian arrangement for allowing communities to flourish on the basis of their own principles. While hosts always have precedence over the guests in the case of resources, the same is not true of culture, which both the host and immigrant community should be allowed to possess without any intimidation to either. This does not mean total exclusivism of the communities. They can interact in the areas and extend according to each other's systems. However the needy, weak, oppressed of the state deserve to be taken care of irrespective of their caste, color, race, region, religion and sect. However, Reverse Mass Migration, a contemporary phenomenon need to be specially recognized and addressed in the short term and long term basis.

2. Islamic World- view

Islamic world- view is informed of *Tauheed* (monotheism) and directed to the actualization of *Tauheedic* project. Crucial elements of the *Tauheedic* world- view consider all humans as children of Adam and Eve, hence brothers and sisters, their difference of color, countries and nationalities only for recognition of each other. Al-*Qur'an* emphatically puts the high level of God consciousness as the only value of superiority among them. Al-*Qur'an* declares:

"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 honored of you in the sight of Allah is (he who is) the most righteous of you. And Allah has full knowledge and is well acquainted (with all things)."

The verse is indicative of the criticality of vertical dimension of man and relative position of everything else vis-à-vis this relationship with God. Hence Universalist and fraternal attitude towards humans runs counter to myopic and selfish tendencies. Further life's purpose is to strive for rebuilding man's self and the

world around in accordance to the Will of God as carried in His last book, Al-*Qur'an* and explained by His last messenger, Prophet Muhammad. Professing *Tauheed*, leads one to adopt a process, for actualizing the *Tauheedic* objectives. Spiritual considerations precede mundane concerns, though both are integrally connected. Hence, an ethical framework of Islam derives its objectives and modus operandi from the faith. For a believer and faith community to pursue the ethical command is not a choice. For faithful perfecting one's morals and building up relations with fellow beings as dictated and nursed by ethics.

3. Prophet- As a Model of Morality

The Prophet has embodied the excellent moral injunction of Qur'an and God has testified to it by saying

"And thou (standest) on an exalted standard of character."

The Prophet declared that his mission has been to perfect the morality: "I was sent (by Allah) to only perfect the sublime morals."

Qur'an has called him a mercy to the universe

We sent thee not, but as a Mercy for all creatures.

Prophetic personality exhibits high ethical standards which were employed for actualization of ethical objectives. They include, establishment of Justice, social, economic and political. Taking care of orphans, weak and oppressed and creating conditions whereby humans are free to obey their God; Fighting against corruption and oppression. Building up a society of virtue and moderation; Exhorting the society to take care of needy and the deprived. Even the *Ummah*, have been commanded to follow the prophetic model and enjoin the good and forbid evil. Stand for justice for God. Be careful of the neighbors. Some verses of the Qur'an and sayings of the Prophet are quoted here verbatim to emphasize the ethical underpinnings of Islam.

That texts are supremely significant even for jurists of Islam to derive the conceptual maps for dealing with the changing situations is well established in the Islamic scheme of things. Even some anthropologists focus on 'Textual Anthropology'. Karin Berber argues that texts are 'interesting in the same way that

kinship, rituals and agriculture are interesting. They are 'forms of social behavior widely distributed and generally central to people's communal experience'. Social relationships, she says "are significantly shaped by textuality". Barber (2008:4)

- a. Prophet for Justice
- لَقَدْ أَرْسَلْنَا رُسُلَنَا بِالْبَيِّنَاتِ وَأَنْزَلْنَا مَعَهُمُ الْكِتَابَ وَالْمِيزَانَ لِيَقُومَ النَّاسُ بِالْقِسْطِ^طُوَأَنْزَلْنَا الْحَدِيدَ فِيهِ بَأْسٌ شَدِيدٌ وَمَنَافِعُ لِلنَّاسِ وَلِيَعْلَمَ اللَّهُ مَنْ يَنْصُرُهُ وَرُسُلَهُ بِالْغَيْبِ ^{عَ}إِنَّ اللَّهَ قَوِيٍّ عَزِيزٌ

[Qur'an 57:25] We sent afore time our messengers with Clear Signs and sent down with them the Book and the Balance (of Right and Wrong), that men may stand forth in justice; and We sent down Iron, in which is (material for) mighty war, as well as many benefits for mankind, that Allah may test who it is that will help, Unseen, Him and His messengers: For Allah is Full of Strength, Exalted in Might (and able to enforce His Will).

b. Justice, Modesty

[Qur'an16:90] Allah commands justice, the doing of good, and liberality to kith and kin, and He forbids all shameful deeds, and injustice and rebellion: He instructs you, that ye may receive admonition.

c. Fraternity

He who relieves the hardship of a believer in this world, Allah will relieve his hardship on the Day of Judgment. He who makes easy what is difficult, Allah will make it easy for him in the world and the Hereafter. He who conceals the faults of a Muslim, Allah will conceal his faults in the world and the Hereafter, for Allah helps the servant as long as he helps his brother.

Sahi□h Muslim 2699, Grade: Sahih

d. Enmity should not lead you to be unjust

[Qur'an 5:8] O ye who believe! stand out firmly for Allah, as witnesses to fair dealing, and let not the hatred of others to you make you swerve to wrong and depart from justice. Be just: that is next to piety: and fear Allah. For Allah is well-acquainted with all that ye do.

e. Fulfilling covenants

وَالَّذِينَ هُمْ لِأَمَانَاتِهِمْ وَعَهْدِهِمْ رَاعُون

[Qur'an 23:08] Those who faithfully observe their trusts and their covenants;

f. Taking care of Deprived

وَفِي أَمْوَالِهِمْ حَقٌّ لِلسَّائِلِ وَالْمَحْرُومِ

[**Qur'an 51:19**]And in their wealth and possessions (was remembered) the right of the (needy,) him who asked, and him who (for some reason) was prevented (from asking).

g. Moderation in Spending

وَالَّذِينَ إِذَا أَنْفَقُوا لَمْ يُسْرِفُوا وَلَمْ يَقْتُرُوا وَكَانَ بَيْنَ ذَٰلِكَ قَوَامًا

[**Qur'an 25:67**] Those who, when they spend, are not extravagant and not niggardly, but hold a just (balance) between those (extremes);

h. To be best to Allah's creatures

The Holy Prophet Muhammad (peace be upon him) said: "All creatures are [like] a family of God: and He loves most those who are kindest to His family." (Narrated by Anas, Mishkat al-Masabih, 3:1392; quoted from Bukhari.)

i. Denunciation of Mania for wealth

أَلْهَاكُمُ التَّكَاثُرُ {1}, حَتَّىٰ زُرْتُمُ الْمَقَابِرَ {٢}

[**Qur'an102:1**] The mutual rivalry for piling up (the good things of this world) diverts you (from the more serious things [**Qur'an 102:2**] until, ye visit the graves.

j. <u>Wealth for helping others</u>

Narrated Abu Huraira (may Allah be pleased with him): Allah's Apostle (peace & blessings of Allah be upon him) said, "Allah said, 'O son of Adam! Spend, and I shall spend on you." [Sahih Al-Bukhari] Volume 7, Book 64, Number 264

4. Human Nobility and Migrations

Human Mind is endowed nobility by God in many ways. He has made possible for him to cross oceans in ships and makes use of the good things on Earth.

Qur'an speaks of it:

[Qur'an 17:70] We have honoured the sons of Adam; provided them with transport on land and sea; given them for sustenance things good and pure; and conferred on them special favours, above a great part of our creation.

Many times man is commanded by God to undertake travels to see His signs like how those that rebelled against God were vanished. God said in the Qur'an:

قَدْ خَلَتْ مِنْ قَبْلِكُمْ سُنَنّ فَسِيرُوا فِي الْأَرْض فَانْظُرُوا كَيْفَ كَانَ عَاقِبَةُ الْمُكَذِّبِينَ

[**Qur'an 3:137**] Many were the Ways of Life that have passed away before you: travel through the earth, and see what the end of those who rejected Truth was.

Man is commanded to obey God only and ensure that he resists all impediments in this way, even if it means abandoning one's country and nation. Those who submit and surrender themselves to gods other than God and do not move out from the places are warned that their receptions by the angels, after their death would not be a welcome one and they would be asked why did they wrong their souls, was not earth of God vast enough for them to accommodate and give them the space for praying Him alone. Qur'an says:

[Qur'an 4:97] When angels take the souls of those who die in sin against their souls, they say: "In what (plight) were ye?" They reply: "Weak and oppressed Were we in the earth." They say: "Was not the earth of Allah spacious enough for you to move yourselves away (From evil)?" Such men will find their abode in Hell,- What an evil refuge! -

Here freedom of movement bestowed to man is channelized for helping him actualize his life mission of reinforcing his faith in the Almighty. In the prophetic chain, Prophet Abraham is credited with underlying migration for the cause of God, having the polytheistic nation and dissociating himself from the polytheistic ways to worship One True God only.

Prophet Muhammad \Box and his band of believers from Makkah migrated to Yathrib, later called *MadinatunNabi* (city of the Prophet). Thus leaving one's home and hearth for faith in One True God got concretized and the mutual rights and duties of *Muhajirun* (migrants) and *Ansar* (Helpers, the hosts) at Medina got defined for the progeny to follow. The hosts demonstrated generosity to accommodate and share with pleasure their space and resources with their brethren in faith, who had been persecuted at Makkah. The insistence of the Migrants to pursue trade in Madina and avoid being dependent on the resources offered to them by the hosts at Madina point to the sensitivity of the migrants to the interests and hospitability of the hosts. *Hudaibiya Treaty* reached between the Prophet \Box and the Makkans stressed the sanctity of the agreement with others even at the cost of non-interference in the internal affairs of the other state. Also, not providing support to the sufferings of the brethren in faith.

Notwithstanding the development of Jurisprudence for Muslim Minorities (*Fiqh al-Aqalliyat*) introduced in 1990 by two distinguished Muslim scholars and jurists, Taha Jabir al-Alwani and Yusuf al-Qaradawi in the context of growing presence of Muslims in Western countries, the need remains to decipher the nature of the problems from a wider perspective. In their view 'Islamic Jurisprudence for Muslim Minorities' constitute an autonomous sphere of body of Jurisprudence based on the Islamic legal principle of the relevance and the applicability of the rules of *Shari'ah* to circumstances related to particular Muslim groups and communities.

(Alwani 2003; Al-Qaradawi 2002-03; Abou El-Fadl 1999; Masud 1989; Masud 2002; Fishman 2006).

5. Multi-cultural and Multi-state Phenomenon

Islamic *Tauheedic* paradigm takes care of development of a society geared to the goals of worshipping One True God, congregational prayers, feeding the weak and deprived and enjoining right and forbidding evil. It emphasizes on the rights of neighbors and caring society, where everybody is connected and responsible for the well-being of every other person. Parents, spouses, children, blood relations, friends, neighbors, guests, needy, orphans and even strangers are covered by not only ethical injunctions but by laws of Shari'ah, a sacrosanct system, whose obedience is deemed not only the best for the smooth and well-being of this worldly life by the faith community but the way for obtaining the pleasure of God, the superior motivation of all actions by the faithful, which alone is the way of getting salvation in the hereafter and the source of earning God's blessings, which the faithful enjoy both in the world and the other. Hence, a community formed from the core values of humanity, like the one based on ethnicity can have parallel existences, with their own autonomous cultural, political, educational and legal frameworks for their existence and development. So, there could be states which have multicultural communities in them. The states would be an instrumental and utilitarian covenant for the peoples of various cultures and communities who live there. The state would not impose any cultural and religious preference on the people. Islamic principles of freedom of conscience and no compulsion of religion would be guiding principle for such an arrangement. Further, the Islamic commands for fulfilling the covenants and agreements shall make the Muslim community very sincere upholders of the state. Existence of multi-state structure can easily be governed by the Instrumental and utilitarian covenants. Migrations have been well taken care of historically in the Islamic world, also non-Muslim communities living in an Islamic State as late as the Ottoman Empire, which developed 'Millet' system providing educational, legal and cultural autonomy to various religious and ethnic communities. Ottoman Caliphate continued this arrangement right up to 20th century. It would even sanction the state funds for the leaders of Jews, Christians and others to run and administer their own selfdetermined Personal Law courts and educational institutions. Even some modern day countries like Germany

UK, Sweden and Norway followed the 'Instrumental Covenant' vision and have succeeded to a great level, notwithstanding witting and non-witting injustices perpetrated in their precincts. Whereas the US and France etc. imposing a nonexistent 'National Vision' are only sowing and reaping destruction.

6. No to Radical Exclusivism; Yes to Positive Interaction

Though Islamic ethics is very sensitive to *Tauheed* (Monotheism) and asks *Ummah* (community) to safeguard and nurture the same to the exclusion of all types of Polytheisms, Atheism, Agnosticism, Scienticism and Materialism as such. However, it upholds freedom of conscience that is why it does not entertain coercion in religion. Nevertheless, it makes place for cultural harmonization without compromising the principle of freedom of conscience by making such common action totally dependent on the *Free Decision* of each community. Thereby, Islam does not accept radical exclusivism and enjoins even cultural, moral and intellectual give and take with the dire caveat that it should be done freely by each community in the area and extent deemed permissible by it, without the state having the least say in it. Thus, Islam provides for the political requirements of Freedom of Conscience, as well as Cultural Interaction which would not even have crossed the minds of the Most Noble and creative of western thinkers, which provisions, particularly politico economic dimensions of cultural autonomy, would quail even the most ardent of the liberal Western rulers.

7. Migrations and Reverse Migrations

Dealing with migrations, Islamic jurisprudents would often investigate the nature and motivation of immigrants. While general ethical principles of hosting guests, providing caring neighborhoods, sharing wealth through zakat and sadaqat (obligatory and voluntary spending) on have-not's, weak, needy and the deprived. However, it has been a practiced obligation to provide the best one could offer to those immigrants who were subjected to oppression and persecution at their native places and migrate to save their faith. Emergence of nation-states in the course of the development of post-renaissance materialistic philosophies has set up complicated impediments for the free movement of humans and as such diminished the inalienable nobility of man. Further, materialism, worse capitalism, white man's superiority complex and globalization have led to a world of the most powerful nations and very weak ones also. There are many nations who work only as colonial outposts of the strong nations. An American historian David Fromkin, in his book A Peace to End All Peace: The Fall of The Ottoman Empire and Creation of the Middle East (1989) calls Lebanon, Syria, Jordan, Iraq, Israel and Palestine the 'Children of England and France'. International laws regime and collaboration and co-operations of the nations and states have led to the accumulation of wealth, control of material and human resources and the creation of conflict areas, waging of wars only to ensure the preponderance of the strongest

as strongest forever; peace in the nations is largely not because the inhabitants of these countries want it but because the strongest on earth want it for their interests. Countries are devastated not because their internal system has failed but because the strongest managed to use all military, propaganda, subversion to break the country. Israel was created and sustained not only by the Zionist movement but the west has been at the forefront of sustaining the Israeli policies and the state. An important fall out of Israeli state has been the continuous stream of immigrants whether in gulf countries or Europe and America. The policies of the Gulf countries can never be imagined totally impervious to the US/European influences. Similarly the destructions of Libya, Iraq, Syria, Yemen and Afghanistan cannot be separated from the vision and policies of the affluent West. Colonial and Neocolonial world has led to the emergence of a new type of migration-Reverse Mass Migration of people from the oppressed nations to the oppressor nations. Hence Islamic solutions sought to address the multiple nature of migration, has been quite satisfactorily successful throughout history. It is imperative to realize the nature of the 'Reverse Mass Migration' engineered by the materialistic, capitalistic, anti-Muslim, and anti-poor policies of the West. They should be held responsible for these entire crises. Even if the western countries offer them the best in their countries, that should amount to their admission of the guilt, apology and explaint. Islamic ethics cannot however, afford to be a mute spectator to this gloomy development. On one side, it must mobilize one and all to ensure the safety and security of the persons thus migrated, but helps them regain their self-dignity. Living with dignity and honor pre-suppose absence of fear, humiliation and intimidation of any sort and availability of modest material and cultural resources for re-building their life. Islam does not allow vulnerability of individuals or communities to trade off their religious and cultural preferences. Thereby material, cultural and religious resources should be employed for helping the people live a comparatively good life of their own religious and cultural preference in the country of immigration. Islamic ethical imperatives would certainly focus attention on two important practical planks. The one takes cognizance of the reality as it exists and attempts at improving it to the best possible extent. The second and the most important imperative is to have a universal moderation of human thought and action, in consonance with its world-view. Here spiritual and ethically propelled Paradigm needs to be intellectually made plausible for the modern man- of the east and the west, so that crass materialistic, capitalistic, nationalistic and other selfish and myopic visions and policies, which have seriously devastated the overwhelming majority of the people not only in Asia and Africa but in Americas

as well. Plunder and loot of resources, extravagance of the rich, God forgetfulness and perpetual wars have brought in artificial high development in some, which is hard to sustain by fair means and deprived the most, of necessities of life. Ecological crisis, big gaps between rich and poor, wars and global crisis have added the need for man to rethink on the presumptions of his thought. Islamic ethics rescues the modern man to moderate his thought and action by realizing the true mission of man on earth, whereby he lives and uses the resources as a trust of God and takes care of others as the family of God; catholicity and moderation shall certainly assuage the wounded humanity of contemporary savage man. Migrations may thus get positively affected while many sorts of migration may exist which are already covered by the ethical injunctions of Islam. Reverse Mass Migration may diminish if the wars are not imposed by the stronger and oppressive nations of the world.

Islamic ethics shall make it imperative for its adherents to sensitize the human souls about the nature of the migrant woes and seek the broader cooperation and collaboration of concerned bodies, official and unofficial for mobilization of all resources for helping the migrants not only in their material domain but helping them protect and nurture their religious and cultural preferences. Mass media, opinion makers, legislators and human souls across boundaries of caste, creed, sect and nation have still the vitality to know the Truth and channelize their resources for building a stable Migrant-host relationship.

Living as immigrants in the West, should not result in an imposition of cultural preference of the hosts, neither now nor should any melt down effects take place. Necessary International and national are to be formulated or properly executed for ensuring the cultural autonomy of the migrants. This may suggest increased number of watch dogs round the globe to ensure transparency related to treatment of countries to the migrants and also to getting the necessary legal frameworks to be placed for safeguarding the rights of the vulnerable migrants.

If, it is not a question of forced or prosecuted migration, the normal rules of hosting guests apply. Qur'anic command makes it clear that God does not burden a person beyond his capacity.

God says:

On no soul doth Allah Place a burden greater than it can bear. (Qur'an 2:286)

8. Conclusion

Islamic ethical principles guide the individual, society and the state to undertake the necessary educational, legal and moral sensitization programs for helping man in general regain his nobility by facilitating his freer movements across the globe. Also, helping create global thought process which moderate the materialistic philosophies and give the preponderance to their higher ethical frameworks, which alone could create a sustainable world order with softer states and nations, where resources and wealth of the nations is distributed and forms of exploitation and oppression are reduced. Further, Islamic principles of human dignity demand protection of the vulnerable communities and migrants at the best of their individual, community and social interests, ensuring their right of autonomy to their educational and cultural development. Multi- cultural communities have autonomy of their personal laws as well. Yet, states could act as instrument of covenant. There is good area of positive interaction of the communities, Host and Migrants exhibiting sensitivities to each other's rights and duties. Watchdogs need to be created for ensuring transparency in the performance of the states towards migrants. The contemporary Reverse Mass Migrations, mostly an outcome of the West's policies need to be seen as such and resistance offered to their demands for further ' Pounds of Flesh' from those who are forced to weepingly bid adieu to their ' Green Valleys'. The West, China etc. should go for reparation bowing down in admission of guilt, apology and expiation. However, Islamic ethics ask the faith community to do their best to see that their brethren are enjoying the same good as is being enjoyed by them. They shall create the necessary sensitivities and mobilization of material and intellectual resources globally for addressing the migrant issues.

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