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CITIZENSHIP RIGHTS AND RESPONSIBILITIES IN ISLAM

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ABSTRACT

Historians revealed that the concept of national citizenship did not take root until the French revolution in 1789. When the prophet Muhammad (peace be upon him) founded the city-state of Madinah centuries ago, he created a charter that described the Muslims and non-Muslims residents of the area as being "one nation". It is not an exaggeration to say that Islam as a complete way of life attaches more importance to the rights and responsibilities of every Muslim. In every given society, there will be rulers and subjects, just as the rulers have their rights and responsibilities that are required of them by Islam, the subjects also have their rights and responsibilities as stipulated by Islam. Methodology relied solely on bibliography appraisal of such studies that are related to this study. This paper intends to look into the citizenship, rights, and responsibilities through binoculars of Islamic tenets. In conclusion, if the citizens of an Islamic state refrain from what is prohibited, establish regular prayers, pay taxes, pay zakat and abide by the rules and regulations guiding Islam, therefore it is their right to safeguard their life, rightfully owned wealth and property projection on their honor and integrity and no responsibility should be imposed on them etc.

KEYWORDS: Their Rights and Responsibilities, Binoculars of Islamic Tenets, Honor and Integrity

INTRODUCTION

Citizenship is the legal right of belonging to a particular nation. It is an act of becoming a legitimate member of a nation and accepting the responsibilities that are associated with.¹ In another way round, it can be described as a legal right which an individual or group of people have to belong to a particular country. Citizenship can be by birth, marriage, naturalization, honorary, dual etc.²

From the above conventional meanings of citizenship, it is realized that each and every individual belongs to one particular nation or the other as a matter of legal right either by birth, marriage or registration. Furthermore, the prophet of Islam Muhammad (SAW) demonstrated a high level of recognition, allegiance, and loyalty, as a major responsibility for a citizen, wherever he found himself. While he was at Makkah where he was born, he contributed immensely towards the development of the place, for instance placing Hajaratul Aswad in Kaabah, he also showed maximum love for Makkah to the extent that he was quoted to have described Makkah as his dearest spot on earth and when he was asked to leave Makkah for Medina, he also gave the same saying: "O Allah I leave the place I love most (Makkah) for the one you love most (Medina)". Moreover, when he arrived at Medina, he equally considered Medina as his own place this by working toward the development of the place as well as maintenance of peace and tranquility despite the availability of different religion e.g. Arab

pagans, Judaism, Christianity, and Islam.⁴ According to the history, when the prophet settled down in the city of Medina, he drew series of treaties with the Arab and Jewish tribe, setting out the system of government and the rules that transformed a primitive tribal justice system based on collective responsibilities into a legal system making every individual responsible for his/her action. The duties regarding the defense of the city were outlined. The religious diversity of the population was celebrated and the common framework for the system was defined. These documents are collectively called the constitution of Medina. Internally, the prophet formulated the Muslim community by attaching a Muhajir with his brother Ansar. This is known in history as the formulation of ummah.⁵

From the historical fact so far, it is derived that the prophet was a citizen of Makkah while he was at Makkah and became Medina citizen when he arrived at Medina. As such, a citizen in Islam is more complex and flexible than that of western or conventional view. Meaning that wherever a man found him/herself, he/she should consider it as his/her home and should be ready to be loyal and work towards it development. As long as Muslims are able to practice their faith without fear of persecution, they are able to call any place home. It well established in the Holy Qur'an that Allah does not stop the believers from relating positively with those that do not stop you from worshipping or practicing your faith and raise any form of persecution (Q60:8, Q5:5). Another verse also stated that there I no compulsion in religion and another verse also stated that each with his religion (Q109:6) and many other verses. From the percept of the prophet, it is mentioned that the prophet said whoever harms any conscientious (non-Muslims under Islamic government); I will be his antagonist on the last day.

من أذي ذميا فأنا خصمه يوم القيامة

Practically, the prophet (SAW) worked towards the socio-political development of Medina (as explained before) and also ensures peaceful coexistence despite their religion disparities. Other manners which Islam required from the Muslims to the people of other religion are; Dealing justly with people from other religion is permissible according to Islam (Q60:8), permissibility of taking and giving gifts from unbelievers to create and promote peaceful living among the people is also encouraged in Islam (Q5:5), Showing kindness and mercy to non-Muslims is also stated in Islam e.g. feeding him when needed, visiting him when sick and saving him from all hazards. A transgression on non-Muslims' wealth, life or personality when there is no war is forbidden in Islam.

Citizenship rights in order to create balance in character, tranquility, and avoid getting abused and neglected human being by another, is crucial and choices, behavior, values and needs and the legitimate right of people is clear by it. No matter what age and position of humans, everyone respects it; the awareness of the rights of citizens to help us get rid of the old-inhibitor and non-constructive ideas of the ancient and have life more productive, more rational and purposeful.

It is not an exaggeration to say that Islam as a complete way of life attaches much importance to the rights and responsibilities of every Muslim, in any given society, there should be rulers and the ruled, both categories are saddled with their respective responsibilities. However, the idea of being a citizen of a particular place in Islam is more complex because Islam is considered anywhere on the earth as a legitimate home as far as man is considered. Wherever a Muslim finds himself, he should strive to play his role and responsibilities to enable the place to prosper. Some contemporary Muslims however say otherwise concerning the concept of citizenship where they suggest that only a place where is being governed by Islamic law is his house. Every human being is a citizen of a state, be it direct or indirect, but most people are unconscious or

ignorant of this while others expecting the state to provide them with all their need without fulfilling their responsibility to the state. However, citizenship is a broad concept that varies in both theory and practice across different traditions and schools of thought. Citizenship is a membership concept and founded upon the principle of equality between citizens.

Islam attaches much importance to the right of humanity; everybody has right under Islamic law, Islam teaches its adherents to respect the right of each other and that of the adherents of other religions.

The right of Allah upon His two noble creatures is also mentioned in the Glorious Qur'an, Allah says:

وما خلقت الجن والانس إلا ليعبدون

Meaning

And I did not create the jinn and mankind except to worship me (Q51:56)

The prophet made it known to the ummah that Allah has right upon His servants and any servant that keeps the right of Allah would in return have right upon Allah Himself. This undisputable fact is seen in a hadith reported by Al-Imam Bukhari as follows:

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قال معاذ: بينما أنا رديف النبى (ص) ليس بيني بينه إلا اخرة الرجل قال النبي (ص) يا معاذ قلت : لبيك يا رسول الله وسعديك قال (ص)" هل تدري ما حق الله تبارك الله وسعديك قال (ص)" هل تدري ما حق الله تبارك وتعالي علي عباده ؟ قلت الله ورسوله أعلم قال : "حق الله تبارك وتعالي علي عباده أن يعبدوه ولا يشركو به شيءا ثم سار ساعة ثم قال (ص) معاذ بن جبل قلت لبيك يا رسول الله وسعديك فقال (ص) : أتدرى ما حق العباد على الله عز وجل – إن فعلوه ؟ قلت : الله ورسوله أعلم قال (ص) "حق العباد على الله عز وجل أن لا يعذبهم
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Mu'adh bn Jabal said:

I was riding behind the prophet (May peace be upon him) and there was nothing between him and me but the rear part of the saddlewhen he said: Mu'adh bn Jabal: To which I replied: At your beck and call, and at your pleasure, Messenger of Allah! He then again moved along for a few minutes and said: Mu'adh bn Jabal: To which I replied: At your beck and call, and at your pleasure. Messenger of Allah He, (the Holy Prophet) said: Do you know what right has Allah upon His servants? I said: Allah and His messenger know best. He (the Holy Prophet) said: verily the right of Allah over His servants is that they should worship Him, not associating anything with Him. He (the Holy Prophet) with Mu'adh behind him moved along for a few minutes and said: Mu'adh bn Jabal: To which I replied: At your beck and call, and at your pleasure, Messenger of Allah! He (the Holy Prophet) said: Do you know what rights have servants upon Allah in case they do it (i.e. they worship Allah without associating anything with Him)? I (Mu'adh bn Jabal) replied: Allah and His messengers know best, (Upon this), he (the Holy Prophet) remarked: That He would not torment them (with the fire of Hell).

From the above -quoted hadith, it is manifest that the right of obedient servants of Allah upon Him is to save them from the punishment (in the hereafter).

In any given society, there must be the rulers and the ruled, as ordained by Allah in the Qur'an, Allah says: ولتكن منكم أمة يدعون إلي الخير و يأمرون بالمعروف وينهون عن المنكر أولءك هم المفلحون

Meaning

and let there be (arising) from you a nation inviting to (all that is) good, enjoining what is right and forbidding what is wrong, and those will be the successful (Q3:104)

RIGHTS OF A CITIZEN IN ISLAM

Conventionally, right are those things which are legally or morally allowed to have. Firstly, every Muslim citizen has to refrain from what is prohibited by Allah and his prophet, such as: zina, usury, drinking intoxicants, gambling etc. and engage himself in what is commanded by Allah and the prophet, such as establishment of regular prayers, payment of zakat, enjoining what is good and forbidding what is bad and so on.

However, it is an undisputable fact that the Muslim citizens have a right which they must enjoy in their state. The ruled Muslims are to enjoy the right to live a better life, right to security, right to employment, right to education, right to care and so on, these mentioned rights will be examined below one after the other.

In the address which the Prophet delivered on the occasion of the farewell Hajj, he said: "Your lives and properties are forbidden to one another till you meet your Lord on the Day of Resurrection." God Almighty has laid down in the Holy Qur'an: "Anyone who kills a believer deliberately will receive as his reward (a sentence) to live in Hell forever. God will be angry with him and curse him, and prepare torment for him" (4:93). The prophet has also said about the Dhimmis (the non-Muslim citizens of the Muslim state): "One who kills a man under covenant (i.e. a Dhimmi) will not even smell the fragrance of paradise" (al-Bukhari and Abu Dawud).

The second most important right is the protection of the honor of a citizen. In the address delivered on the occasion of farewell Hajj, as mentioned earlier on, the prophet did not only prohibit the life and property of the Muslims to one another, but also any encroachment upon their honor, respect, and chastity were forbidden to one another. The Holy Qur'an unequivocally states:

"You, who believe, do not let one (set of) people make fun of another set.

Do not defame one another.

Do not insult by using nicknames.

And do not backbite or speak ill of one another" (49:11-12).

This is the law of Islam for the protection of honor which is indeed much superior to and better than the western law of defamation.

Islam recognizes the right of every citizen of its state that there should be no undue interference or encroachment on the privacy of his life. The Holy Qur'an has laid down the injunction: "Do not spy on one another" (49:12). "Do not enter any houses except your own homes unless you are sure of the occupants' consent" (24:27). The prophet has gone to the extent of instructing his followers that a man should not enter even his house suddenly or surreptitiously. He should somehow or other inform or indicate to the dwellers of the house that he is entering the house, so that he may not see his mother, sister daughter in a condition in which they would not like to be seen, nor would he himself like to see them in that condition.

Islam has also laid down the principle that no citizen can be imprisoned unless his guilt has been proved in an open court. To arrest a man only on the basis of suspicion and to throw him into a prison without proper court proceedings and

without providing him with a reasonable opportunity to produce his defense is not permissible in Islam. It is related in the Hadith that once the prophet was delivering a lecture in the mosque, when a man rose during the lecture and said: "O Prophet of God, for what crimes have my neighbors been arrested?" The prophet heard his question and continued his speech. The man rose once again and repeated the same question. The prophet again did not answer and continued his speech. The man rose for the third time and repeated the same question. Then the Prophet ordered that the man's neighbor is released. The reason why the prophet had kept quiet when the question was repeated twice earlier was that the police officer was in the mosque and if there were proper reasons for the arrest of the neighbors of this man, he would have got up to explain his position. Since the police officer gave no reasons for these arrests the prophet ordered that the arrested persons should be released. The police officer was aware of the Islamic law and therefore he did not get up to say: "the administration is aware of the charges against the arrested men, but they cannot be disclosed in public".

Muslims are to be given right to live a better life by the rulers, the rulers should accord the citizens in Islam abetter life, it has to be known to them that they are given the privilege to rule human beings not because they are the best among them and that their subjects are human beings like them, not animals. Allah Himself accord higher status to human being among his creatures to such an extent that He commanded the angels to prostrate to Adam (Q2:34). Human beings are the creature of Allah, they are work of Allah, they are to be ruled with piety, and they are not to be maltreated just as in the contemporary ruler's disposition. It is learned that some governors in Nigeria owe their workers about eleven months' salary, meanwhile, the prophet says:

Meaning

"Muslims citizens are also entitled to security of lives and properties from the rulers and by extension, they should ensure peace among the citizens, there should not be a threat to their lives and properties".

Rulers are also saddled with the responsibility of giving the citizens sound education, education is very prominent in any community, any community that attaches less importance to education will be crawling after other communities. The prophet of Islam categorizes learning as a compulsory act in Islam, the prophet says:

Meaning

"Acquisition of knowledge is compulsory upon Muslims male and female".

In every Muslim state, education must be seen as compulsory, thus, Muslim children should enjoy free education in the state, the rulers should finance the education of the citizens' children at all levels.

It is the responsibility of the rulers to provide lucrative jobs for the citizens; every citizen entitles to employment so

as to earn his livelihood. It is pertinent to note that Allah commands Muslims to engage in work, Allah says:

Meaning

"And say: work; so Allah will see your work and (so will) His messenger and the believers" (Q9:105)

Right to education, this right according to Islam is very paramount to the extent that the first revelation to the prophet is about education. More often, a practice of the prophet confirmed that Islam attaches more importance to seeking of knowledge. In the Holy Qur'an, the prophetic prayer is only on knowledge where Allah asked him to seek from Allah to advance his knowledge (Q20: 114);

Meaning

"Supremely exalted is therefore, Allah, the king,the Truth, and do not make haste with the Qur'an before its revelation is made complete to you and say: O my Lord! Increase me in knowledge"

Health care is another responsibility with which the rulers are saddled, every citizen is entitled to health care, and rulers should ensure that every citizen is given adequate health care. It is worthy of notice here that the rulers are to intensify the activities of the law enforcement agencies that are looking after the citizens so as not to get involved in taking any substance that may jeopardize their lives such as intoxicants, substandard drugs, preserved food/drinks etc. It is to be noted that federal ministry of health warns that the smokers are liable to die young, instead of announcing this through media, why can't they place a ban on its production, trading and smoking and its likes such as; marijuana, Indian hemp etc. rulers are also in position to provide effective and preventive drugs for the patients in the hospitals in their states, as they are also among their subjects.

Under the right to dignity of one personality, no one should be tortured or molested. In Islam, the dignity of every individual, man or woman, young or old, should be respected. (Q17: 70), (Q49: 11)

Meaning

"And surely We have honored the children of Adam, and We carry them in the land and in the sea, and We have given them of the good things, and We have made them excel by an appropriate excellence over most of those whom we have created"

"O you who believe! Let not (one) people laugh at (another) people perchance they may be better than they, nor let women (laugh) at (other) women, perchance they may be better than they; and do not find fault with your own people nor call one another by nicknames; evil is a bad name after faith, and whoever does not turn, these it is that are the unjust".

Freedom of expression in Islam is granted but with certain moderation, a proper investigation should be made before spreading any rumors or news. One should always keep away from what he/she does not know or aware of, because apart from being penalized in the world, Qur'an also stated that such doer will be questioned on the misuse of his senses. (Q17: 36).

Right to private and family life

This involves the right to marriage, to raise children and integrate them into the society. This right is wholly religious. Islam encourages marriage and bearing of children. The right of marriage in Islam is even far reaching to the extent that the captives are allowed to marry and to be married, The Qur'an (Q24, Q4: 4) categorically instructed Muslims to marry a lady of their choice. Child-bearing is also encouraged by Islam to the extent that the prophet urged all Muslims to marry a loving and fertile woman because through them he will compete with the prophets for superiority in numbers in the last day. However, a restriction is made by Islam in terms of marriage unlike the west; Islam disallows gay marriage and even spelt out certain punishment for the doer. Concerning the number of women to be married, Islam limits it to four wives (Q4: 4), unlike Christianity which allows only one and traditional religion which made it unlimited.

Regarding the political right which implies the right to vote and is voted for, right to serve in any public office and right to criticize the government is also applicable in Islam. However, the process of choosing a leader is selective in nature where a group of people of integrity will come together to conclude on a particular person among the selected ones as was practically exercised during the caliphate of Abubakri and Umar. Criticizing the government is not a novel in Islam. Abubakri as the first khalifah emphatically pronounced such in his first speech (Khutbah) when he was chosen as Khalifah saying that whenever you see me doing a good deed, support me and when you see me doing the opposite, make me upright. It is also recorded in the Qur'an that Prophet Yusuf (A.S) requested for a post in the public office (Q12: 55). In a nutshell, the right to become a leader in Islam is for those people that are upright and acquired the qualities of being a leader and it is by selection not election. It is recorded that the prophet said: "Do not ask for leadership because if you are given by seeking for it, you will be left with it and if you are given without asking you will be assisted on it.

Economic rights involve the right to property, right to work, this right is completely religious because Islam mandates every individual to source for his substances in all ramification and discharges begging as means of livelihood. Allah enlightens the nation in the Holy Qur'an that He creates the daytime for a man to search for his livelihood (Q78: 11). As it is a legal right for a man to own wealth so also it is legal for women (Q4: 7). Before the advent of Islam, women were considered as an heir to be inherited, with the emergence of Islam socio-economic status of women were changed to better where the women can own wealth through work, gift, and inheritance. Allah attaches more importance to earning a livelihood to such an extent that He commands Muslims to get back to their workplace after the completion of the Jumu'ah Salah, Allah says:

يا أيها الذين آمنوا اذا نودي للصلاة من يوم الجمعة فاسعوا الى ذكر الله وذروا البيع ذلكم خير لكم إن كنتم تعلمون فإذا قضيت الصلاة فانتشروا في الأرض وابتغوا من فضل الله واذكروا الله كثيرا لعلكم تفلحون و إذا رأوا تجارة أو لهوا انفضوا إليها وتركوك قاءما قل ما عند الله خير من اللهو ومن التجارة والله خير الرازقين

Meaning

"O you who believe (Muslims)! When the call is proclaimed for the salat (prayer) on the day of Friday (Jumu'ah prayer), come to the remembrance of Allah [Jumu'ah religious talk (khutbah) and salat (prayer)] and leave off business (and every other thing), that is better for you but know! Then when the (Jumu'ah) salat (prayer) is finished, you may disperse through the land, and seek the bounty of Allah (by working etc.) and remember Allah much, that you may be successful. And when they see some merchandise or some amusement [beating of Tambur (drum) etc.] they disperse headlong to it, and leave you (Muhammad) standing [while delivering Jumu'ah's religious talk (khutbah)]. Say "That which Allah has is better than any amusement or merchandise! And Allah is the best of providers". (Q62:9-11)

In Islam, the civic right is granted even though if Islam amends and moderates or puts the certain restriction on those freedoms. Right to life for example as it is against the manmade law for anybody to kill himself, talk more of any other person. Islam also condemned in totality the act of killing either oneself or anybody else (Q17: 31, Q17:33). It is even up to the extent that one should not cause death or destruction for him/her talks less of killing. It is also stated categorically in the Qur'an the penalty for whoever kills deliberately or unconsciously. For deliberate killing, the reward is hellfire, the wrath of Allah; severe punishment etc. penalty for killing by mistake is freeing a female captive or two-month consecutive fasting as in line with the following verses (Q4: 92-93)

وما كان لمؤمن ان يقتل مؤمنا إلا خطءا ومن قتل مؤمنا خطءا فتحرير رقبة مؤمنة ودية مسلمة إلى أهله إلا أن يصدّقو فإن كان من قوم عدو لكم وهو مؤمن فتحرير رقبة مؤمنة وإن كان من قوم بينكم وبينهم مّيثق فدية مّسلَمة إلى أهله وتحرير رقبة مؤمنة فمن لم يجد فصيام شهرين متتابعين توبة من الله وكان الله عليما حكيما(92) ومن يقتل مؤمنا مّتعمّدا فجزاؤه جهنم خلدا فيها وغدب الله عليه ولعنه وأعد له عذابا عظيما (93)

It is also a right upon a Muslim to be obedient to the established law of the state; he should remain loyal and sincere to those in authority and contribute positively to the development of the state. However, Muslims are to obey the authority of the state provided the authority does not in any way contradict the teachings of the Qur'an and Sunnah. This is because Muslims are not to obey any authority and be offending the owner of the supreme authority (Allah).

Rights of Muslim citizens

The lives of the citizens should be safeguarded at all costs and they should not be compelled to put their lives in danger even for a very noble cause. Their rightfully owned wealth and property should be protected. No tax should be imposed on them. Their honor and integrity should be given protection. Even in extraordinary circumstances, their personal freedom should not be curtailed totally or partially, until, after an open court hearing, a court pronounces a verdict after they have been given a chance to plead. They should not be forced to adopt any particular thought, opinion, view, occupation, dress

or attitude. No restriction should be imposed on them as regards forming an option is concerned as well as its presentation wherever and whenever they like. No responsibility should be imposed on them against their wishes. The doors of the oolul-amr must always remain open without any restriction on the general public so that at any time and place they are able to reach them to present their grievances and petitions and are also able to criticize them and to freely call them to account. They should be provided unbiased justice in all circumstances.

RESPONSIBILITIES OF CITIZENS IN ISLAM

Responsibilities are those functions that a citizen has to perform to the state to make the state progress, in other words; it can be described as the duties and obligations of the citizens to the government and the community. Examples are economic/financial responsibilities, political/civic responsibilities and social responsibilities.

"It is your duty to listen and obey your rules whether you are in a difficulty or at ease, whether willingly or unwillingly and even when you do not receive what is your right." (Muslim, Kitab-ul-Imarah)

"Allah has approved three things for you and disapproved three. The three things he has approved are: you should worship him without associating partners with him and hold fast to the cable of Allah and show nus-h to your Ulul-amr." (Musnad Ahmad Bin Hanbal, vol 2, pg. 237)

"Not many days will pass when those people will rule over you in whose hands will be your livelihood. Whenever they will say anything to you, it will be a lie and whatever they will do, it will be against the right path. They will not be happy with you until you praise their evil deeds and affirm their lies. At that time you should say what is right until they tolerate it, and if they exceed from this, then whoever is executed on this basis, he is a martyr." (Kanz-ul-Ummal, Vol 6, pg. 296).

A Muslim should be aware of the fact that Islam always stands for communities living in harmony and for Muslims to exemplify the highest standards of care and concern toward others, Muslims are taught by Islam to work for the common good of humanity not only fellow Muslims, but Muslims are also not permitted to harm their communities. A Muslim should not be avoided by his fellow citizens as a result of his evil. The prophet is on record to have said:

Meaning

"The worst people in Allah's sight on the day of resurrection will be those who the people leave (undisturbed) to be away from their evil (deeds)".

The mission to be a good citizen should be the given priority and social responsibilities of the media. Especially for broadcasting houses by making songs, jingles and slogans in condemnation of these contemporary social ills such as suicide bombing, kidnapping, vandalization without religious sentiment, and on the other hand compose same in praise of our values, aspirations, cultures, beliefs, national symbols, and national ethics. Retaliatory attitudes of followers especially the youth are the contemporary social problems plaguing Nigeria. Prolonged bad leadership by those at the helm of affairs has degenerated into insecurity in the country. The patience of the led appears to have vanished, hence the youth cash on the

slightest opportunity to steal, to kill, kidnap, bomb, stir up violence, and rob- just to retaliate the wrongs of the leaders. The belligerents, in the form of militants, Boko haram and the likes, appear to have been provoked to actions and the feeling that it is now their turn to turn the country upside down. Only concrete and effective citizenship education can purge our nation of these social vices.

However, this study concludes that in order to be good citizens, all Muslims are duty bound to work for the common good not only with fellow Muslims but all those in the society with whom they share a common goal. In addition, Muslims are not permitted to harm their communities. The prophet Muhammad, peace be upon him, warned his followers against harming their neighbors in any way. "A person whose neighbors are not safe from his evil will not enter paradise".

Lastly, the study recommends a citizen to be patriotic, loyal and to persevere wherever a Muslim finds himself as his home.

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