

Fiqhi Maxims Governing Convergence between Islamic and Non-Islamic States

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ABSTRACT

Fiqhi maxims governing convergence between Islamic and non-Islamic states provide normative standards for the conduct of states and international organizations. Islamic jurisprudence and modern international law display substantial compatibility in political and economic relations, particularly in principles of peaceful interaction, treaty observance, and institutional cooperation. The central issue is how an Islamic state should engage non-Islamic states, especially non-hostile and treaty-bound partners. Through an analytical and juristic method, this study examines the principles of invitation, non-domination, reconciliation of hearts, cooperation, protection of covenants and immunities, prudential concealment where necessary, selection of the lesser harm, and removal of hardship. These principles support lawful regional and economic convergence in customs facilitation, banking, international finance, global markets, political economy, trade organizations, transportation, and collective security. The study concludes that Islamic law does not require isolation. It authorizes structured cooperation that protects dignity, independence, property, life, and treaty rights, while prohibiting domination and assistance in injustice.

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Introduction

Convergence refers to increasing coordination and interdependence among states through shared history, geography, culture, security, and economic exchange. Muslim societies have long participated in regional trade and political networks with both Islamic and non-Islamic communities. Contemporary interdependence makes such interaction unavoidable and potentially beneficial, but Islamic states require a normative framework that distinguishes lawful cooperation from dependency, domination, or support for injustice. Fiqhi maxims can perform this regulatory function, particularly in relations with non-hostile and treaty-bound states.

Methodology

The research uses a library-based, analytical, and juristic method. It identifies general principles from the Qur'ān, Sunna, fiqhi maxims, and works of political jurisprudence, and then evaluates their application to modern forms of regional integration. The study also compares these principles with selected concepts of international law and international organization. Its application-oriented approach focuses on customs, banking, loans, markets, trade institutions, infrastructure, diplomatic protection, and security cooperation.

Literature Review

Studies of Islamic international relations have examined treaties, diplomacy, peace and conflict, and individual maxims such as no harm or non-domination. Research on regional integration, however, often relies exclusively on modern political economy, while fiqhi writing may remain abstract and detached from institutional design. A systematic account connecting multiple maxims to the practical architecture of convergence among Islamic and non-Islamic states remains limited. The present study brings these bodies of literature together.

Findings

Several principles jointly regulate convergence. The principle of invitation favors constructive communication rather than isolation. The rule of non-domination prohibits arrangements that place Muslim communities under disabling foreign control. Reconciliation of hearts supports confidence-building and peaceful inclusion; cooperation authorizes joint action in lawful and beneficial affairs; and fulfillment of covenants protects treaties, immunities, property, and the lives and dignity of non-hostile partners. The rules of lesser harm and removal of hardship permit pragmatic institutional choices where alternatives impose greater injury. Prudential measures remain exceptional and may not be used to excuse bad faith.

Discussion

These maxims support economic and regional organizations provided that participation preserves legal equality, reciprocal benefit, transparency, and effective safeguards against domination. Customs unions, banking arrangements, international loans, shared markets, transport corridors, and security institutions are not intrinsically objectionable. Their legality depends on their terms and consequences. Cooperation in trade and infrastructure may enhance collective resilience, while dependency-inducing debt, discriminatory institutions, or participation in aggression would violate the same fiqhi framework that otherwise permits convergence.

Conclusion

Islamic jurisprudence supplies a coherent basis for constructive relations between Islamic and non-Islamic states. Its maxims can guide regional economic and political convergence without abandoning sovereignty or religious commitments. A lawful integration project should combine treaty fidelity, reciprocal protection, cooperation in benefit, avoidance of hardship, and institutional safeguards against domination and injustice. This framework is capable of informing customs, finance, markets, transportation, diplomacy, and collective security and can support a stable regional order in an interdependent world.

Declarations

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