

# Acquisition of Citizenship in Non-Islamic Countries from the Perspective of Islamic Jurisprudence, National Law, and International Law

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## Abstract

*The phenomenon of acquiring citizenship and permanent residency in non-Islamic countries has become one of the major challenges to the growth and development of Islamic nations across the world, particularly in Afghanistan. This issue has attracted the attention of scholars and religious authorities within the Muslim community. Many capable and educated individuals from the Islamic world, who have attained advanced education in various sciences and disciplines, have sought citizenship and long-term residency in non-Islamic countries in pursuit of material comfort, imagined freedoms, employment opportunities, or specialized education unavailable in their home countries. These individuals, in fact, represent a foundational pillar and vital human capital for the progress and development of Islamic nations, especially Afghanistan.*

*The increasing prevalence of this phenomenon in recent times has prompted many scholars to investigate its legal status in Islamic jurisprudence. In response, the present author has attempted, by the grace of Almighty Allah, to examine the issue comprehensively from the standpoint of Islamic jurisprudence as well as national and international law. This paper is accordingly titled "Acquisition of Citizenship in Non-Islamic Countries from the Perspective of Islamic Jurisprudence, National Law, and International Law."*

*The study adopts a library-based descriptive-analytical and inductive method to explore the position of Islamic law, national legislation, and international legal frameworks regarding the acquisition of citizenship in non-Islamic countries. It also examines the views of Islamic jurists on this matter.*

*The findings indicate that the Islamic legal perspective on acquiring citizenship and permanent residency in non-Islamic countries is conditional and context-dependent. According to the predominant scholarly opinion, if such residency leads to religious corruption, exposes a person and their family to moral harm, or prevents the observance of Islamic rites, then even temporary residence in a non-Muslim country (Dar al-Kufr) is considered prohibited (haram). If the intention behind migration is merely to pursue a life of comfort and material enjoyment, the act is regarded as strongly discouraged (makruh tahrimi) due to the risk of cultural assimilation. However, in cases involving the pursuit of essential knowledge, treatment of chronic*

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*illnesses, or escape from persecution and injustice, such residency may be deemed obligatory (wajib) or recommended (sunnah). Under normal circumstances, rulings may vary between permissibility (mubah), discouragement (makruh), or conditional permissibility depending on individual cases.*

*From the perspective of international law, every individual has the right to seek asylum and residence in any country—regardless of its religious affiliation—in cases of persecution, torture, or threat.*

**Keywords:** *Citizenship, Non-Islamic Countries, National and International Law, Dar al-Kufr, Dar al-Islam.*