

## The Concept of *Al-Ta'ayush* in Islamic Cosmopolitanism: From Medina to Istanbul and Malacca

Konsep *Al-Ta'ayush* dalam Kosmopolitanisme Islam

ASILATUL HANAA ABDULLAH  
FAUZIAH FATHIL

### ABSTRACT

*In modern Western perspective, Islam is often associated with jihad or holy war waged against non-Muslims. In the Western view, multiculturalism and religious pluralism have neither a place in Islam nor Islamic state, therefore, making Islam look very intolerant and non-inclusive towards other faiths and cultures. This research aims to elucidate how multiculturalism under the concept of Al-Ta'ayush was practised by two Muslim governments, first as manifested in the Millet system (independent court for personal law) under the Ottoman Caliphate and secondly in the Shahbandar (harbourmasters) system under the Malacca Sultanate which later evolved into the Kapitan system. Despite their geographical distance, these systems shared many similarities. This research aims to refute the idea that Islam is intolerant by giving examples from the previous Muslim governments and tracing their systems back to the first Islamic state established by Prophet Muhammad (pbuh), which was the Islamic state of Medina. This paper demonstrates that Muslim rulers during the Ottoman and Malaccan eras were tolerant towards their non-Muslim subjects as shown for instance, in the granting of autonomous rights which enabled the latter to be ruled by their own personal law and to freely practice their own faiths. This practice is unique because first, it was supported by Islamic teachings and secondly, in the pre-modern period where religious and cultural tolerance was not common, Islam was spearheading this concept of Al-Ta'ayush. This consequently makes Islam a religion that celebrates multiculturalism and religious pluralism.*

*Keywords: Multiculturalism; intolerance; Shahbandar-Kapitan system; Millet system; Al-Ta'ayush*

### ABSTRAK

*Dari perspektif barat perkataan Islam sering dikaitkan dengan jihad atau agama yang melancarkan perang jihad terhadap bukan Islam. Multikulturalisme dan pluralisme agama tidak mempunyai tempat dalam Islam mahupun negara Islam. Oleh itu, menjadikan Islam sangat tidak toleran terhadap kepercayaan dan budaya selain Islam. Penyelidikan ini bertujuan untuk menjelaskan bagaimana multikulturalisme di bawah konsep Al Ta'ayush diamalkan di dua empayar Islam, pertama sistem Syahbandar-Kapitan Cina di Kesultanan Melaka dan pendahulunya. Kedua, sistem Millet di bawah Empayar Uthmaniyyah. Walaupun dari segi geografi kerajaan ini mempunyai jarak yang jauh, kedua-dua sistem ini berkongsi banyak persamaan. Penyelidikan ini bertujuan untuk menyebarkan idea bahawa Islam adalah agama toleransi dengan memberikan contoh dari kerajaan-kerajaan ini dan menelusuri kembali amalan ini kembali ke negara Islam pertama yang ditubuhkan oleh Nabi Muhammad sendiri yang merupakan negara Islam Madinah. Dalam kajian ini didapati bahawa penguasa umat Islam bertolak ansur dengan subjek bukan Islam mereka dan memberikan autonomi kepada mereka untuk diperintah di bawah undang-undang agama mereka sendiri. Konsep ini unik kerana pertama kali ia didokong oleh undang-undang agama dan kedua pada zaman pertengahan di mana toleransi keagamaan dan budaya bukanlah satu kebiasaan, Islam telah menerajui konsep multikulturalisme ini. Ini menjadikan Islam sebagai agama yang meraikan pelbagai budaya*

*Kata kunci: Multikulturalisme; sikap tidak bertoleransi; Kapitan Cina; Sistem Millet; Al Ta'ayush*

### INTRODUCTION

The rise of Islamic extremism in the recent years has painted this image of Islam as an intolerant monotheistic religion that does not accept

multiculturalism. This was supported with extremist claims that it is jihad to fight and subjugate all disbeliever or people who their way of life is different from Islamic teaching. These extremists believed in order to protect the purity of Islamic teaching non-

Muslim should convert to Islam or be killed, while the women and children should be subjected to slavery. Regardless of this fact being misleading this is the general idea of the teaching of Islam that has been propagated around the world.

Islam comes from the Arabic root word *Salim* or peace, the Islamic greeting is peace be upon you, etymologically speaking Islam and peaceful co-existent is a natural state of being. There are various verses in the Quran that explains the variety and multiculturalism that what created on purpose so that Muslims learn how to peacefully co-exist. Despite these verses were often overlooked and verses on Jihad were deeply emphasized although often times taken out of context.

History often times not only work as a reminder of the past but also lesson for the future. Peaceful coexistent was so common in Muslims sultanate that the non-Muslim were granted autonomous authority over their own people. The Syahbandar-Kapitan Cina system under Malay sultanate and the millet system under the Ottoman empire work as a testament that despite these two political entities existed in different geographical location, they carried the principal of peaceful coexistent as taught by Prophet Muhammad with the formation of the first Muslim nation state of medina. Lesson from Prophet Muhammad dealing with the Jews using Medina charter were assimilated and celebrated within the Malay Sultanate and the Ottoman Empire.

#### THE MEDIEVAL WORLD: ISLAM VERSUS CHRISTIANITY AND THE CONCEPT OF AL- TA'AYUSH

Medieval Europe under the rule of Christian kings do not celebrate religious tolerance or coexistent not only within different religious denomination but within different Christian sects too. The motto '*cuius regio, eius et religio*' ('to whom belongs the region, also belongs the religion') have caused prosecution of protestant by catholic kings and vice versa. Hence in medieval Europe the only salvation of one's soul is via conversion to Christianity. Consequently, the idea of multiculturalism or society containing various races and religion is incomprehensible in the medieval Christian mind. The medieval Christian king has the accountability to cleanse the state from heretics or he will be held responsible by god (Compier 2010).

In medieval Christianity a state is held together by the commonality of its religion. The authority of a king comes from Rome or the papacy therefore

their appointment is directly appointed by god. It is god himself that appointed these pious kings as his deputy. Therefore, it is incumbent upon them to rule accordingly within god law and to save the soul of non-Christian of the land by conversion to Christianity. Upon a king ascendency to power a *Laudes Regiae* was proclaimed *Christus vincit! Christus regnant! Christus imperate!* (Christ conquers, Christ reigns, Christ commands) This put the king in similar position as Christ himself, he becomes one with god and justified the act of forced conversion (Ourand 1988).

This concept is different in Islam. Kings in Islam is merely a vicegerent or caliph of God, employs as warner to non-believers via preaching. Despite its similarity in generating authority from religious dogma the caliph has no right to force conversion into Islam nor would he be accountable to cleanse the state from disbeliever. This was proven when prophet Muhammad became the ruler of medina the Jews were allowed to stay and where accorded the rights as citizens (Compier 2010).

This phenomenon is known as *Al Ta'ayush* or co-existence, the word *Al Ta'ayush* like many Arabic word comes generally comes from a trilateral words or three consonant that explain the meaning. The word *Al Ta'ayush* comes from the word *asyh* or life ( Muhammad Ikhlas et-al. 2019 ). Thus it can signify sharing of life the verb or fa'al form can also denotes the meaning *Al Musyarakatun* , co-dependent. To define the word *Ta'ayush* co-existence build upon love for each other. The most important concept in *Al Ta'ayush* is *Al Ta'ayush Al -Silmi* or peaceful coexistent (Mohd Anuar et- al 2018). Linguistically the concept of *Al-Taayush* can only be functional when two party are involved, it is the very essence of co-existing. This paper would demonstrate how the concept of *Al Taayush* despite the term modern in origin was a common practice from the culmination of Medina as the first Muslim to Ottoman Empire and later the Malacca Sultanate.

Technically *Al Ta'ayush* refers to the existence of non-Muslim in a Muslim state who lived under the protection of Muslim rulers. These non-Muslim traditionally known as *Ahl Dhimmah* now known as citizen or *Al- Muwatimum*. (Zulkefli Aini& Wan Nurul Anis Wan Ismail 2018). In today's context the term *ahl dhimmah* is no longer relevant because the non-Muslim minority no longer paid *jizya*. Thus, the relationship that existed under this banner of *Al- Taayush* is *Al Ukhwat Al Muwattanah* which is a more suitable term in the context of modern nation

state. However, we cannot deny the fact that this concept of brothers of the same nation existed from the beginning of Islamic State of Medina. This is the basic tenet of universalism in Islam.

(Zulkifli 2019) Thus the concept of *Al Ta'ayush* can be summarized as the following, a state where the nation is shared between many different community with love and respect as their base. In this situation where they learn to celebrate differences in terms of culture and religion and protects the human rights of minority (Muhammad Ikhlas et al. 2019).

This system ensures not only the physical safety of the non-Muslim. But warrant the freedom to practice their own religion and maintain the uniqueness of their own identity. While in other religion diversity was seen as a problem in the Islamic teaching ethnic diversity is seen as the unique natural state of god creation. Thus, one is encouraged to interact and tolerate people from different race. In the concept of *Al Ta'ayush* the most important aspect is humanity. This is to ensure non-Muslim are treated justly by Muslim ruler, they are tolerated and are not forced to convert and free to make lawful economic gains. These non-Muslims citizens are expected to contribute in whatever they can to the development of state, like it is expected from any other citizen regardless of religion. The concept of *Al Ta'ayush* in essence is social interaction and communication in a plural society to foster peaceful and harmonious co-existence (Zulkefli Aini & Wan Nurul Anis Wan Ismail 2018).

#### ISLAM AND MULTICULTURALISM LESSON FROM MEDINA

Despite the Quran and Hadith not specifying government requirement; during the time of the prophet and the rightly guided caliph established practices that conforms to Islamic values. Islamic emissaries were open to adoption of administration system established by earlier civilization such as Greco-Roman and Persian combined with existing Arabs bureaucracy as long as it is not against the teaching of Islam (Eugenie 2017).

Islamic public administration is mainly based on five principles, devotion to Allah, consultation with the knowledgeable, principles of human rights and freedom, equality and justice. The spread of Islam from India, China and Arabia starting in the 7<sup>th</sup> century brought over these values and influences to the Islamic sultanate of the time (Eugenie 2017).

The failure of small states that emerges before Islam is because the attitudes of the Arab refusing to submit themselves over the control of any state. The dominant political entity of the region was tribalism and nomadic way of life. Islam and the culmination of the state of Medina was unification of Arabs and Jewish tribes under the banner of an Islamic state. The depth and comprehensiveness of Islamic teaching united the people of Medina (Eugenie 2017).

Upon establishing the first Islamic state of Medina, Prophet Muhammad also inaugurated the constitution of Medina. This is a document that primarily deals with tribal issues. There are two parts of the constitution. Clause 1-26 of the constitution deals with the rights of Muslim believer while clause 27-63 dealt with matters concerning the Jews of Medina. This constitution is a response to Medina heterogeneous society. This document, work as nation building tool. It is line with the Quranic teaching (Mohammad 2006).

The Jews in Medina have a different idea of Prophet Muhammad leadership. The Jews never accepted Prophet Muhammad as the last prophet but rather a king; they were not anticipating any prophet let alone a non-Jewish prophet. In fact, the Jews finds Islamic dogma with the inclusion non-Jewish prophet such as Jesus and Muhammad were somewhat of an annoyance. The Jews would never acknowledge a messiah that does not come from the David Israelite line. This was told by Jews that accepted Islam (Muir 2011) despite this dislike of him. The constitution of Medina accepted Jewish tribe of Medina as part as the *Ummah* (Wensick 1982). The constitution of Medina acts as a treaty of mutual obligations between the Jews and the Muslims which guaranteed the Jews freedom to practice their religion and safety of their property. (Muir 1988), The Jews submitted to Prophet Muhammad rule of Medina and agreed to pay tribute, or tax known as *Jizya*.

This is because Islam viewed diversity as something natural and the teaching of Islam embraced diversity and this diversity was intentionally created by god. This is in line with the existence of peaceful co-existent and respect for other faith. (Hassan 2009), This was also apparent with Prophet Muhammad recognition of Jewish tribal leaders in Medina such as Atiyya Ibn Zayd and Salam bin Ibn Hukayq (Lecker 1995).

There is intense tribal disunity during the time the constitution was formulated by the prophet. The

pre-Islamic city of Medina or Yathrib was occupied by various Arab, Jewish and Christian tribes. The prophet upon his ascendancy as leader of Medina was to settle internal dispute. Not only among Muslims but also among non-Muslim in this particular case the Jews. Among the clause agreed upon with the Jews was the Jews are equally responsible to protect Medina as much as the Muslim and they have autonomy over their own religion. (Ramzi Omar 2004), Muslim and non-Muslim came under Prophet Muhammad jurisdiction as arbitrator; judge he broke the Arabs tribal ties using this constitution by recognizing them as a part of the Ummah or Muslim brotherhood (Esposito 2005).

The constitution of Medina was written for a multicultural, multi religious society that carries the foundation of democratic nation inclusive of all faith. Medina becomes the first state that welcomes everyone who comes in peace regardless of faith and culture. It provided justice via rule of law instead of tribal and military action. This charter acts as a protection to the people of Medina as a form of protection from social crimes (Nor Atiah 2017).

While the political aspect of the constitution is to strengthen the Muslim democratic ruling power in Medina by forging a treaty not only with Muslim but also non-Muslim Islamic elements were still in calculated this is the comprehensive aspect of the religion. Multiculturalism is not a hindrance to the culmination of the first Islamic state because prophet Muhammad is a prophet that brings mercy to the world. This constitution apart from being the first constitution to incorporate religion and politics, is also a testament Islam provides solutions to accommodate pluralism via respect tolerance and peaceful means. In a plural society the principle promoted by Medina charter is essential to a functioning plural society. Respect, tolerance and love is essential are pertinent attributes to be considered in order to promote a peaceful plural society (Mohammad 2016).

The co-existence or *Al Ta'ayush* of Medina was recorded in the Sirah or history of the prophet life, this work as a mirror from the teaching of Islam. Prophet Muhammad installation of the Medina charter was a practical mirror of the teaching of Islam and Islamic nation state. He proved in his action that he was send as mercy not only to Muslim but all humankind, upholding the concept of brothers in humanity. This was the basis of other Islamic political entity that comes after Medina. This can be seen in the celebration of Islamic cosmopolitanism of Millet System and the Syahbandar System.

## THE MILLET SYSTEM

The Turkish warriors known as Ghazi, fought on the control of the decaying Byzantine Empire. These Ghazi originated from nomadic tribe from central Asia known as Turkmen Oguz nomads. The Oguz nomads consisted of 400 families. After being expelled by the Mongols from the steppes of Turkestan they migrated to Asia Minor and established a Dynasty (Hegyí 1989). This Ghazi established themselves as Seljuq Dynasty in Iran and Mesopotamia around 11 century. In 1293 one of the Ghazi Prince Osman Bey assumed control over Anatolia and started commanding respects of the roaming Ghazis and formed the base of the Ottoman Empire. Over the years Ottoman Empire had grew not only geographically but also into a mosaic of cultures and religion. This includes religious group such as Jews and Christians. Following the Islamic prescribed treatment of non-Muslim, upon the conquest of Constantinople that was later renamed Istanbul. Sultan Muhammad II maintained a freedom of minorities to practice their own religion as enjoined by Islam. All inhabitant of the Khalifah are treated with equal status accorded with rights and obligations and required to pay nominal tax known as *Jizya* (Faroqhi 2006).

Sultan Muhammad II upon the conquest of Constantinople proclaimed himself as the protector of the Greek Church. He appointed a new patriarch Gennadios equip with pastoral staff. The Patriarch was responsible directly to the sultan. He was gifted with gold that symbolized his legal and religious authority that was equal to a Vizier thus begins the millet system. Unlike the medieval Christians who were rather intolerant towards other Christian sects and extreme rejection towards other religion, Istanbul under the Ottoman Empire became a cosmopolitan sanctuary for asylum seekers from all faith and religion. The Ottoman Empire was no doubt a Muslim state with cultural and political amalgamation of central Asia. As a Muslim ruler the Ottoman sultan protection extended to the members of the monotheistic faith such as Jews and Christian. Jewish people in particular find asylum after expulsion from Spain and other parts of Europe to Istanbul. This was also the same case for Christians of other sects that was facing oppression by their roman catholic counterparts. The Ottoman encouraged migration by removing obstacles. The Christians Jews and other religious groups were welcomed, rehabilitated and helped by the Muslims (Yakub 2002).



Millets or nations are from Arabic meaning united religion nation. These are how the non-Muslim are organized and regulated under the Ottoman Empire. This system can be considered as part of the Islamic religious law, which requires to allow the existence of religious minorities, this was especially so with the Jews and Christian which was considered as people of the book. The non-Muslim subjects of The Ottoman Empire under religious leaders hold political powers to organize their own community (Cahnman 1944). There are five main millets under the Ottoman Empire; they were the Greeks, Orthodox, Jewish, Armenian and Syrian Orthodox (Kaya 2013).

The religious leader such as the Patriarch, Chief Rabbi and the Catholics are leaders of the millet. Despite preserved and to some extent emphasized the religious distinction the millet recognized Ottoman Empire as ruler. Regardless of the fact the empire was a Muslim and administered under Islamic religious law but within the millet there was autonomy, The Muslims and non-Muslims living under the same sovereign Ottoman Empire was subjected to different law. The ecclesiastical authority, that governs this millet possessed authority over religion, education, marriage, divorce and collected taxes (Davidson 1954). This agreed sum of tax was collected by religious leader and deposited to government treasury (Yakub 2002).

The religious leader of the millet was answerable directly to the states and held responsible for the administration of its members Cahnman (1944). While the Muslim becomes the ruling warrior class that protects the autonomous religious unit (Cahnman 1944). The Ottoman Empire encouraged conformity the millet members are not considered individual but a part of a collective religious group. This social civilization umbrella, this oligarchy system where power is concentrated in the hands of political elites the sultan as ruler works together major power structure one of them religious intellectual. They acted as agent of the state that autonomously controlled the society and convene the society with the ruler. This system did not separate the realm of ruler with the ruled (Kaya 2013). This was proven when an individual is able to claim his rights via religious leader that later would hold negotiations with justice minister in the Ottoman cabinet for redress (Yakub 2002). The legally protected religious minority group was guaranteed secured access to government vice versa via these ecclesiastical authorities delegated by

the Sultan. By grouping them under their religious affliction their civil concern would be addressed first according to their own religious law (Kaya 2013).

The millet system was an embodiment of the concept *Al-Ta'ayush*. In 1454 after the conquest of Constantinople, the Ottoman started to allow religious group to administer communities as constituent component of the empire. Pre-existing medieval religious structures become the pillar for the Ottoman idea of social order. The religious leaders were directly involved in administering their people, assuming a political position within the empire (Barbieri 2013). The existence in multicultural plural society was not only allowed by the Ottomans but was also encouraged. The concept of *Al-Ta'ayush* as taught by Prophet Muhammad in the first Islamic state was adopted by the Ottomans rulers. The Ottoman tolerant demeanor towards its Christians and Jews which allowed them to freely practice their religion and culture and also having a leader to represent their community was followed in example of precedents that was set in Medina (Koksalan et al. 2019).

#### MALACCA SULTANATE: THE SYAHBANDAR AND KAPITAN CINA SYSTEM

The rivalry between the Srivijaya prince Parameswara and his Majapahit overlords resulted in him being a refugee in Malacca. Abundance, of timber and freshwater propelled Malacca into an international entrepot. The change in Chinese trade following the installation of a new Ming Emperor Yong Le. Emperor Yong Le, despite forbidding overseas trade still dispatches envoys in the middle of 1404 CE to Malacca. By 1405 a delegation to China was sent from Malacca. The Chinese emperor was pleased with the delegation passed an edict declaring the ruler of Malacca was a legitimate king (Andaya 2001).

Emperor Yong Le has intention to expand Chinese trade to the end of the Monsoon season. The straits of Malacca are one of the strategic points that connect South China Sea and The Indian Ocean. Arabic documents refer this area as "*Sea of Melayu*" Gohindo De Eredia supported this assertion (Rusli 2012). It is one of the most important shipping lanes in the world. Its strategic geographic position where it is secluded from the monsoon made Malacca ideal as an entrepot. These natural geographic barriers act as a convenient transit for vessel to wait off the monsoon. Malacca

on the other hand was privileged to be the vassal of China. This vassalage came with protection against Malacca aggressor Ayudhya and Majapahit. This quid pro quo situation contributed massively to the growth of Malacca (Andaya 2001).

The Islamic kingdom of Malacca was a cosmopolitan maritime centre, it prospered under plural society and multiculturalism. Due to its strategic position along the east and west trading route, Malacca received visitors from many parts of the world. By 15<sup>th</sup> century Malacca established itself as the main trading center in Asia (Foo 2008). This multiculturalism existed before the advent of Islam but retained due to the nature of Islam. The multiculturalism and tolerance of non-Muslims was accepted with some degree of acceptance and power sharing. The openness and accommodative nature of Malay culture was further enhanced with the teaching of Islam. Despite claims of colonialist that they were the one that pluralized the Malay society this culture actually predates colonization. Despite retaining the indigenous rule accepting people from other parts of the world was never coerced but comes rather naturally. This non-exclusivist attitude of the Malay Muslim sultanate is reflected in the Kapitan Cina System (Abdul Rahman 2002).

The arrival of Islam in this region aside from making Malacca a preference among Muslim traders led Malacca to adopt Islamic administrative practices that amalgamated with Malay customary laws (Mohd Hazmi 2012). As a prosperous international port Malacca had a systematic administrative system. The Syahbandar or harbor master was in charge of the ports in Malacca. The name Syahbandar originated from patronymics of Persian sailors that came to the ports of Malacca. The Syahbandar is also fondly known as King of the harbor. The Syahbandar's main duties are as follows, to check ships and boats to be updated of the trade activities collect taxes and customs duties, manage business license, to safeguard the markets and manage the ports. Finally, they managed immigration and act as a law enforcer to the traders. He also has responsibilities towards the orphans around the ports' (Nor Atiah 2001).

This is clearly stated in the laws of Malacca.

The jurisdiction granted to the harbormaster is to punish all the foreign traders, and orphans and all that is oppressed and customs all junks, ships merchandise and such..

As there are 84 languages and multiple nationalities in the thriving ports of Malacca it

is only logical to have Syahbandar representing their own communities. According to Tom Pires, a Portuguese traveller

“There is a Xambandar for the Gujeratis, the most important of all. There is a Xambandar for the Bunuaqujlin, Bengales, Pegus, and Pase, there is Xambandar for the Javanese, Molluccans, Banda, Palembang, Tanjompura and Lacoos there is Xambandar for the Chinese, Leques, Chancho and Champa. Each man applies to [the Xambandar] of his nation when he comes to Malacca with his merchandise or message.”

The Syahbandar is appointed to assist their own ethnicity and they are responsible for the well-being of their own people. He is the king of all merchant in his community not only in terms of trade but also as arbitrator and judge of disputes within their own community (Nor Atiah 2001).

The Chinese have lived alongside the Malays as early as 13<sup>th</sup> century CE. Wang Dayuan a trader who visited Singapore in 1349 CE noted this. Admiral Zheng Ho in his expedition to Malacca brought with him a junior officer Fei Xin who wrote on fair-skinned Malaccans being Chinese decedents. Another Chinese author Zhang Xie also mentions of Chinese living among natives. This suggested the existence of Chinese settlement in Malacca sultanate (Tan 2000).

Portuguese ascendancy of Malacca the Syahbandar system assimilated in the newly established Portuguese administration. These Syahbandar was called Kapitan, which was a Portuguese word which means nautical or aviation captain the word *Kapitien* have origins in Spanish however in this context is head of a racial group. In the case of Malacca, they acted as headmen that rules over their communities, for the purpose of this research they focus would be on the Chinese community. Religion and customs issues were dealt by the Kapitan (Suryadinata 2007). In 1640, when Portuguese was replaced by Dutch in Malacca they retained the system. British advent in the Malay archipelagos retained the role of Kapitan Cina as intermediaries between Chinese subjects and British colonial government (Chan 1982).

The coming of Chinese was quite significant that it was recorded in Malay Hikayat. It is described in Sulaltus Salatin in form courtiers as gifts to the Malaccan Sultan with Princess Hang Li Po. This marks the beginning of The Peranakan Chinese in Malacca, but they lacked any significant role politically. From Hikayat Seri Kelantan it is known that the Chinese lived in their own community and was led by a leader known as Kapitan. Despite living

under the rule of Malay Kings their loyalty is to the Chinese Kapitan (Bazrul 2015).

Despite, mentioned earlier that Chinese had contacts and settlement not only in Malacca but all across Southeast Asia. Migration began en mass during the 19<sup>th</sup> century with western defeat of Qing dynasty. Economic opportunity in South East Asia and turbulence in China facilitated the mass migration. This was not only apparent with British control of the Straits Settlements but with the Tin mining industry in the peninsula, Malay rulers in control of these districts appointed Chinese Kapitan to administer workers in these mines (Suryadinata 2018).

There are three main roles of Kapitan Cina, the first is leadership, The Chinese Kapitan are not salaried officers often time they are chosen based on their standing and charisma in their own community. They are mostly merchant and businessman that accumulated enormous wealth and are respected by their community (Suryadinata 2007). Kapitan Cina functions as headmen.

He functions as an autonomous leader that administers the Chinese community under the Malay sultanate. A Kapitan Cina must be someone who possessed charismatic leadership qualities, respected not only within the Chinese communities but also by Malay sultan and nobilities. Kapitan Cina functions as political intermediaries between Chinese immigrant communities. He held significant executive administrative and judicial powers. This is to facilitate his role in supervising the activities of Chinese communities under the Malay sultanate (Chan1982). Despite not really being an official Captain, there are certain instances where they are able to mobilize their own army (Suryadinata 2018). For instance Kapitan Cina Yap Ah Loy mobilized his own army in the Klang War.

The second function is arbitrary and judicial power. The Kapitan Cina have considerable judicial power for example anyone caught stealing would be punished by carrying the stolen goods across town, repeated offenders would have their ears cut off. The Chinese immigrants as a victim of oppressive government back home, hence was suspicious of the local government in the Malay archipelagos. Thus, the Kapitan Cina works as liaison officer between his community and the government. This he was governed as a judicial authority that enables him to held court to handle minor cases and to enforce arbitrary role (Chan1982). He is well versed in Chinese religious and cultural philosophy which is

the basis of Chinese customary law. The Chinese would not accept other forms of law. They would only honor the laws formed by their own leaders based on Chinese philosophy (Chong 1984).

The third function of Kapitan Cina is welfare. Besides these two roles there are philanthropic functions that were fulfilled by the Kapitan. The Kapitan was in charge the welfare and well-being of his own community. He kept records of marriages and births. He acts as collateral to Chinese businessman trying to apply loans. He also assists them in applying business license from the government. They also managed Chinese laborers and coolies to work in mines and factories are treated well and not exposed to any sort of mistreatment. This is done by opening hospital and regular contacts with employers in the Malay archipelagos (Chong 1984).

Despite the Malay rulers' position in Malay political ideology being the highest and relationship between the sultan and the people he ruled is like master and his slave. All the inhabitation under the rule of Malay rulers were considered as his slaves that was at his disposal. This situation is quite different when dealing with the non-Malay and Non-Muslim communities. In Hikayat Seri Kelantan that the Raja Long Muhammad seeking the help of Chinese via Temenggong. The Temenggong was send to discussed the matter with the Kapitan (Bazrul 2015). This shows that despite Malay rulers was in a titular position the Kapitan have autonomy with regards in administrating his own people. This was emulated from the prophet concept of *Al Ta' ayush* that was practiced in Medina. Although all these concepts are different in their implementation it came from the same source, the concept of *Al Ta' ayush Al-Silmi* or peaceful coexistent that was laid down by Prophet Muhammad in 7<sup>th</sup> century Medina.

## CONCLUSION

Islam as a religion is all encompassing it covers all aspect of life. The multiculturalism aspect of the teaching was celebrated through the rights of non-Muslim to be ruled autonomously under their cultural and religious demand. This concept emerges from the formation of the Islamic state of medina the rightly guided caliph and Islamic empires around the world raging from the Malay archipelagos to the Ottoman Empire.

Islam as a religion propagated by Prophet Muhammad is an inclusive message that included all races and culture. This is the basis of Islamic



faith. In an Islamic state all faith and races have their role as citizens and we granted right by the state. This example can be seen in the Malay archipelagos and the great Ottoman Empire. This was also the core strength of an Islamic empire. All these community despite being of different faith and races contributed in terms of politics and economy in the Muslims empire. The concept of *Al Taayush* or peaceful co-existent in Islam is based on three important concepts in the teaching of Islam, the superiority of man from animal that originated from Prophet Adam regardless of race as the vicegerent of god that is responsible to administer this world , secondly the concept of multiculturalism that Allah created people from various culture and religions for Muslims to know them and finally the concept of brothers in humanity , therefore it is required for Muslims ruler to treat their non-Muslim subjects with mercy despite the concept of *Al Ta'ayush* is a modern concept. The formation of the Muslim nation state of Medina and the protection of non-Muslim under the Medina Charter become a tool that legitimized the system across Muslim world in future i.e.: The Millet and Kapitan Cina System.

A common misconception of Islam today is it does not celebrate multiculturalism, but rather an exclusive violent cult that promotes Islam versus non-Muslim and non-Muslim are portrayed as the enemy. In this research we can see that the practice of inclusiveness begun with Prophet Muhammad establishment of the Islamic state of medina this was emulated by his predecessors despite geographically separated by different continent the fundamental basis of Islam remains intact. In an Islamic state religion and politics often intersect, the atmosphere of distrust and the rise of violent jihadist movement it is pertinent that this tolerant aspect of peaceful co-existent in history is highlighted. This is especially so when certain segment of the west is adamant in portraying Muslim as intolerant and non-inclusive towards the non-Muslims creating a futile ground breeding islamophobes. Multiculturalism has been a pivotal part of an Islamic state and would continue to be celebrated in modern Muslim society.

In the context of current issues of extremism, the concept of *Al Ta'ayush* or co-existence can be used to mediate the modern Muslim Ummah in the global world. This concept should be the basis for Muslim to effectively communicate and coexist with non-Muslim peacefully. This concept of global society despite being a new concept have been

practiced by Muslim rulers ruling over multiethnic and multi religious society beginning with Prophet Muhammad in Medina

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#### AUTHORS

Asilatul Hanaa Abdullah  
International Islamic University Malaysia.  
asilatul1983@gmail.com

Dr. Fauziah Fathil,  
International Islamic University Malaysia  
fauziahfathil@iiu.edu.my