

Elections: Role of Muslims and their Responsibilities according to Islamic Shariah* - an essay with specific reference to Muslim minorities in the West

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Election and polling is proven - from the way in which the first Khalifa, Abu Bakr(R), and the third Khalifa, Uthman ibn 'Affan(R), were chosen or elected by the Muslims of Madinah. There was a consensus (Ijma') of Sahaba(R) which is found in authentic Hadith literature and therefore, could be considered a part of Islamic Shari'ah.

Absence of the prohibition

To make anything unlawful and haram, its prohibition must be stated in the text of the Qur'an or Hadith to prove it. In the absence of any text of the Qur'an or Hadith, a given substance or activity is lawful and halal. The opponents of Muslim political participation have failed miserably in presenting any text in support of their arguments because there is none. The quotes they present do not prohibit political participation and such an opinion is a corrupt ta'weel of those quotes. A ta'weel is not part of Shari'ah nor is it binding on anyone and especially, a corrupt ta'weel. Any opinion derived from such ta'weel is non-binding. See my above-mentioned article for more details.

End of the argument

The absence of tahreem makes it halal and this should be the end of the argument. However, I would like to submit the following for Muslim scholar's considerations.

One should understand that the Qur'an and Sunnah of the Prophet(S) is applicable for all time to come. The problem is faced and dissensions appear when we try to apply 14-century- old teachings to our time in which we have fast communication and transportation and where the world has become a global village.

Evidence from the Qur'an

1. Sura Yusuf (12): 70-76 *Fi Deen-il-Malik*: Allah talks about Prophet Yusuf (peace be upon him) who desired to keep his younger brother Benjamin in Egypt but he could not do it fairly according to the law of the king. Therefore, he put a gold cup (measuring or drinking) of the king's in the luggage belonging to Benjamin, as a gift or as a trap (tawriyah). Without going into the details of the commentaries, the net effect was that Benjamin was accused of being a thief and Yusuf found a way to retain him in Egypt. What we learn is that the Prophet Yusuf was ruling a kingdom according to the law of the king and not by the law of Allah (S.W.T). I quote commentary by Mawdudi.

"It should also be pointed out, in light of the above verse, that at that time 'the law of the king' rather than the 'law of God' operated in Egypt. Now, since Joseph had political control over Egypt, the conclusion is that Joseph enforced the 'law of the king' rather than the 'law of God'. It might even be argued that Joseph's adherence to Abrahamic law rather than to the royal law of Egypt in a matter relating to himself makes little difference. For it is evident that it is according to man-made laws that cases were judged in Egypt during his period of rule.

"Such a view might seem quite weighty at first sight, but those who look at the matter a little more carefully will be able to put things into perspective. It is true that Joseph (peace be on him) was designated to give effect to the law of God. In fact this was at the heart of his mission as a Prophet and his basic task as a ruler. All this is quite evident.

"It should be remembered, however, that the system operating in any country does not change overnight. Suppose a group of people who sincerely wish to establish the Islamic order of life gain total control over the affairs of a country. It would nevertheless take several years before those people succeeded in changing the social, economic, political, judicial, and legal system of that country. During the transitional period they would be forced to retain existing laws until such time as their proposed changes make some significant headway."

Towards Understanding the Qur'an, translated by Zafar I. Ansari, note 60 of Surah Yusuf (Published by the Islamic Foundation Leicester -1993).

If it was good enough for Prophet Yusuf to rule under the laws of the king, it is obviously good enough for the Muslims in America to try to gain power and use that power to change the situation and make it more amenable to the Muslim community at large. Some argue that Shari'ah given in the Bible is not applicable in the Deen Al-Islam after the Prophet Muhammad. In part, this may be true but whatever Allah has mentioned approvingly of the events and people of the past (before Prophet Muhammad) in the Qur'an is the part of Islamic teachings. Opponents of political participation give no evidence in support of their argument that examples of Prophet Yusuf, Khidr and Musa and the Mu'min from the court of Pharaoh are not applicable

in Islam. Do they mean that Allah, made lawful for Yusuf is unlawful for the followers of Muhammad when it is given in the Qur'an approvingly?

2. Surat Al-Kahf (18):71,79. In these verses we learn that Musa (peace be upon him) was guided by Allah to meet a sage (wise man) who damaged a boat belonging to a poor boatman. This boatman made a living by ferrying people across the river. However, there was a non-Muslim tyrant king who confiscated good boats but not defective boats. The sage (allegedly Khidr) did not curse the tyrant king or his system but he went about protecting people within his kingdom from this tyranny. The sage damaged the boat of this poor man enough so that it would not be confiscated. It appears that whatever the sage did was according to Allah's (S.W.T.) guidance. There is no condemnation of the tyrant ruler nor is there any incitement to rebellion. Using this analogy, Muslims in America should find a way to protect themselves using the system and try to improve their lot within the system until such time when they have a dominant influence.

3. Surah Ghafir (Al-Mu'min) 40:28-45. When Musa (peace be upon him) called Pharaoh to Allah (S.W.T.) and showed His miracles, Pharaoh was scared and suggested to his courtiers that Musa(S) be killed for the protection of their society. However, there was a secret believer in Musa(S) among Pharaoh's people, he stood up in support of Musa (S). This believer's name is not given in the Qur'an but his speech is quoted at length by Allah (S.W.T.) in a praiseworthy manner. Had this believer walked out of the mushrik court immediately after he believed in Musa (S), he would not have had an opportunity to stand up in defense of Musa (S) and his message. It is obvious that total dissociation from a non-Islamic system is neither recommended nor wise. Staying within the system and participating in it provides an opportunity to raise the voice in support of righteousness, justice, and equity. Total dissociation will work when Muslims have a very large presence and their dissociation will cripple the operation of the government; this is leverage. Without leverage, total dissociation is suicidal; you are giving the enemy a free and open hand to destroy you.

4. The text of the Holy Quran (Sura Nur) 24: 55 states that "**God has promised to those of you who believe and do good that He will most certainly make them His vicegerents on the earth...**" It is quite clear from this verse, that every good Muslim is fit to participate in elections to hold the position of an elected office for the post of trust and responsibility.

Evidence from the Seerah

The information and page numbers given below are taken from the Seerah book, "*AL-RAHEEQ AL-MAKHTUM*" by Safiur Rahman Mubarakpuri, published by Darussalam London, Makkah, New York.

1. Invitation to the pagan leaders of Quraysh

(page 82) Prophet (S) used the pagan method of inviting people to a dinner and presenting the message to them. His first attempt ended in failure due to the opposition by Abu Lahab. In this first meeting, only Ali ibn Abi Talib, a young boy of 10 or 12 years old, stood up and spoke in support of the Prophet; no adult Arab pagan did. The second such attempt brought his own uncle, Abu Talib as a sponsor and a supporter for his work but not a convert from the Quraysh leadership. Abu Talib reportedly said, "I swear by Allah to protect him as long as I am alive" and he kept his word despite his idolatry beliefs. As one can see that the Messenger of Allah worked under the sponsorship and protection of a pagan, albeit his own uncle. His mushrik uncle was his wali for ten years. Didn't the Prophet understand the Qur'an when it said not to take mushrikoon as awlia' (plural of wali)? One may argue that it was before the revelation of these verses which told us not to take non-Muslims as awlia'. Isn't the Prophet's whole life a role model for us? Do you pick and choose to follow the Messenger or not to follow him at your own whims? Allah carried the Prophet through all kind of conditions and preserved this information for us to use as our role model under given conditions. Today the condition of the Muslims in the West is somewhat like the condition of the Muslims in Makkah, however, thanks to the development of humanism (perhaps under Islamic influence) we do not face widespread persecution as the early Muslims faced in Makkah.

2. Call from Mt. Safa

(page 83) The pagan prevailing system to call 911 to give an urgent message to the people, was to climb on Mt. Safa in Makkah and call people by tribal names. When people gathered the message was given. The Prophet adopted the same system. He climbed on Mt. Safa and called, "O Sabaha! O Bani Fahr! O Bani Adi". When people gathered, the Prophet gave his message. It is worthy of note that the Prophet used an existing system to disseminate his message.

3. Giving the message at Hajj time

(page 85-86) Mushrik leaders of Quraysh under the leadership of Al-Waleed bin Al-Mugheera passed a resolution to warn pilgrims about Prophet Muhammad so that they would not listen to him. The Prophet did use the occasion and conveyed his message to the pilgrims tent by tent. This was use of existing pagan system. All did not condemn the use of the prevailing non-Islamic system of calling people to Islam. Unless we sit with them, how do we expect to have their attention?

4. The Bazaars of Tihama

The Prophet used to go to the bazaars of Tihama, which were like county fairs in the U.S., where he met people and conveyed his message. These bazaars were centers of pagan celebrations.

5. Migration to Habasha (Abyssinia)

(page 102) The Prophet sent out a party of Muslims to Habasha, ruled by a Christian king Najjashi. In our time, many Muslims are escaping the tyrant rulers of the Middle East and settling in the Secular-Christian West. Did the Prophet advised his companions to condemn the Christian rule of Najjashi, call him names and work to bring him down? Did Muslims boycott the culture and political system of Najjashi and isolated themselves in their own cells? These Sahaba lived as Muslims within a non-Islamic culture and politico-economic system of Habasha. When Muslims were called to the court of the king they went and, within the rules of Islam, they respected and honored him. When Najjashi called them to the court, the Sahaba did not send him their refusal note with insults to him; O Najjashi, you are a kafir, you are a Christian, and therefore, we will not talk to you until you take Shahadah. What is the lesson here? When Bill Clinton called a few Muslim leaders to the White House, what should have been their response? Is it better to meet and talk to develop understanding or send him a refusal note with insults? What would you do if you receive an invitation and an opening to bring the President, his family and his staff members closer to the Muslims?

6. Search for a sponsor and a protector

(page 140) After the death of Abu Talib, the Prophet lost his sponsor and protecting friend (wali) and he began the search for another. He called many tribal chiefs and finally he went to Taif where he was rebuked and injured. Upon his return from Taif, he approached 'Abd Yalil ibn 'Abd Kalal, a mushrik, for support but he declined. He approached Al-Akhnas bin Shuraiq and Suhail bin 'Amr and both mushrik leaders declined to sponsor him or give him protection. Finally, Mut'im bin 'Adi, a mushrik tribal leader, came forward to sponsor the Prophet and take him under his protection. Abu Jahl inquired from Mut'im bin 'Adi whether it was protection only or conversion; he replied that it was protection only. Thus the Prophet took a mushrik as his protecting friend, wali. Didn't the Prophet know that he was taking a mushrik as wali, a protecting friend? Didn't Allah know that he was going to reveal verses against what He were subjecting His own Messenger? What is the lesson here? The verses of the Qur'an should be interpreted within a context and they are relevant within a given environment. The determination of relevant environment and context is a part of Fiqh where we may have disagreements but we should learn to live with. Calling kafir, munafiq, fasiq to those Muslims with whom you have disagreements in Fiqhi matters is evil and creation of fasad and fitnah.

7. Migration to Madinah

(page 171) When Allah permitted the Prophet to migrate to Madinah, the Quraysh learned about it and put a bounty of one-hundred camel on his head, alive or dead. The Prophet and Abu Bakr put their lives in the hand of a mushrik guide, Abdullah bin Uraiquit for protection and road guidance. It was essentially taking this mushrik as

their wali temporarily. Don't we read in the Qur'an where Allah admonished Muslims from taking non-Muslims as awlia'? How do you interpret this? The verses of the Qur'an should be interpreted within a given context otherwise the same verses may become a source of trouble as they did for the Khawarij. Some of our brothers use Qur'an the way Khawarij did and the Khawarij were fought against and killed by the fourth Khalifa Ali ibn Abi Talib and Khulafa of Banu Umayyiah until they were eliminated.

8. Pacts with the Jews

It is well-known that the Prophet entered in to mutual protection pacts with the Jewish tribes of Bani 'Awf, Banu Qainuqa', Bani Nadhir and Banu Quraiza. These were pacts of mutual support and mutual protection. It was acceptance of Jews as Awlia', protecting friends of the Muslims. Did the Messenger of Allah violate teachings of the Qur'an?

9. Pacts with the Mushrik Tribes

After the pact of Hudaibyah with Quraysh, the Prophet entered into many pacts with many pagan tribes. Some of the pacts were for mutual defense and others were for neutrality. Mutual defense pacts were in essence taking mushrik tribes as awlia'. One of them was the tribe of Banu Khuza'ah. When Banu Bakr, an ally of the Quraysh, attacked Banu Khuza'ah, they invoked their pact with the Prophet and sought help. The Prophet abrogated the treaty with the Quraysh and marched towards Makkah which ended up in victory over Quraysh and capture of the city.

Stages in the Prophet's life in terms of political power and following

I can discern seven stages in the Prophet's life and at each stage his policies were different when dealing with the opponents and non-Muslim allies. There is a great deal of guidance in these stages for the Muslims. Many naïve Muslims cannot discern different strategies during changing situations but they take his last two years and want to apply in every situation, which is a great error leading to missteps.

(a) From the first revelation until the death of Abu Talib.

(b) From the death of Abu Talib until his migration to Madinah.

(c) From his arrival in Madinah until the battle of Uhud.

(d) From the battle of Uhud until the battle of Khandaq (or Ahzab).

(e) From Ahzab until the Treaty of Hudaibiyah.

(f) From the Treaty of Hudaibiyah until the conquest of Makkah and the battle of Hunayn.

(g) The last two years of his life when he was the supreme ruler of the entire Arabian Peninsula.

The Prophet and his followers were extremely weak in Makkah, therefore, he followed a policy winning hearts. In Madinah, until the conclusion of the Treaty of Hudaibiyah he had some political strength but militarily weak. After Hudaibiyah he became coequal in power with other Mushrik tribes and their leaders until the conquest of Makkah and defeating Mushrikoon in their last ditch battle at Hunayn. After Hunayn, he became all power ruler. We must read verses of the Qur'an in the light of prevailing conditions at the time of those revelations.

The Reconciliation

The following Qur'an verses are quoted as a proof against Muslim political participation.

"Let not the believers take disbelievers for their friends (awlia') in preference to believers. Whoso does that has no connection with Allah unless (it be) that you but guard yourselves against them, taking (as it were) security. Allah bids you beware (only) of Himself. Unto Allah is the journeying." *Aal-e Imran (3):28*

Anti-political participation people, very conveniently, leave out verses 3:26-27 and 29, which are there before and after the verse quoted above. This is intellectual dishonesty. All verses 3:26-29 ask about taking non-Muslims as friends, in preference to the Muslims. There are two possible scenarios for developing friendship with the non-Muslims.

(i) This "Muslim or group of Muslims" never really accepted Islam except by their tongues to deceive real Muslims. They were living among the Muslims; they were praying in the Masjid An-Nabawi behind the Prophet and, concurrently, conspiring with the Pagans, Christians and the Jews for their self-protection and to hurt the Prophet and the Muslim community. Their real purpose was to destroy Islam and make personal or tribal gains. This is condemned in these verses and they are given the news of their doom.

(ii) The Prophet and the Muslims approached pagans, the Jews and the Christians to enter into mutual defence or neutrality pacts for the purpose of wakening the enemy, the tribe of Quraysh, and to strengthen the position of the Muslims. This issue is not addressed to in these verses. If Allah addressed to the Prophet, He is condemning him and that is not possible. In addition, when the Prophet sent a group of Sahaba to Habasha and put them under the protection of Najjashi did he violate the intent of these verses? When the Prophet lived under the protection of Abu Talib and latter under the protection of Mut'im bin 'Adi, did he violate the intent of these verses?

Similar intellectual dishonesty is obvious when they quote verse 4:139 and leave out 4:137,138 & 140. Also they quote 4:144 but leave out 4:143 and 145. Similarly, 5:51 is quoted leaving out other verses from the passage 5:49-58. All of these verses of the Qur'an relate to hypocrites who never really accepted Islam. These hypocrites were reaching out to the non-Muslims for the purpose of material gain and power for themselves at the expense of true Muslims.

The question arises of how to interpret verses of the Qur'an which teach the Muslims not to take non-Muslims as awlia' in preference to the Muslims, these being 3:28, 5:51,81 and others.

It is my understanding that; the difference is between individual interest and community interest. Individually, Muslims should prefer to deal with other Muslims as much as possible. However, in the interest of the community we are allowed to enter into pacts and agreements for mutual community interest and benefits with non-Muslims.

Unfortunately, many of us have turned around the teachings. For hiring a plumber and purchasing groceries and other products and services, some of us prefer non-Muslims and avoid Muslims. This is against the teachings of the verses referred to above in this paragraph. When it comes to the community's interest and speaking with politicians, we invoke these verses of awlia' and cause harm to the community due to our ignorance of the Qur'an.

Acquiescence to (incline towards) those who do wrong

The verse quoted is 11:113 "And incline (**tarkunu**) not toward those who do wrong lest the Fire touch you, and you have no protecting friends (awlia') against Allah, and afterwards you would not be helped." Here tarkunu has the meaning, "to be satisfied with their wrong doing" or "to return to idolatry" or "to acquiesce to the unjust". Are they accusing the Muslims that they will justify the wrongs done by the American government because Muslims have a voice? No! The whole purpose is to reach into the halls of power and raise a voice against wrongs done by the American government. The goal is opposite of what this verse implies. None of the Muslim

leaders is going to become a Christian or a Jew or an atheist because he is able to talk to a Congressman or a Senator or the President or others in power.

Desensitisation of the Muslims

This argument assumes that political participation will not allow Muslims to continue with Islamic schools, teaching Islam to adults and Da'wah to non-Muslims, and masjid will be closed down. In fact, Muslims will gain better opportunities to practice Islam and live as devoted Muslims. This is the whole idea, that is, to improve the conditions for the Muslims to promote and propagate Islam much more freely than it is done now. When Muslims get into the position of power they can try to use the system to remove all evils in this society.

Hung up in fiqhi terminology

In the middle ages some scholars developed fiqhi terms, such as Dar Al-Islam (the land of Islam), Dar Al-Kufr (the land of disbelief) and Dar Al-Harb (the land of war). The rights and duties of Muslims and non-Muslims were assigned according to the status of a country where a Muslim may be living. These terms are not rooted in the Qur'an or Sunnah and have a very weak foundation from Fiqhi point of view. Islamic history is that it was established and nurtured in the land of immigration (Madinah Al-Munawwara). Muslim migrated to western countries were offered with the similar opportunities, it is therefore; correct to call this country Dar Al-Amal (the land of hope and opportunity) and Darul Ahad (land of covenant). Muslims are either citizens or residents in most western countries where they have rights which they must use.

The Prophets as the role models

Allah (S.W.T.) said in the Qur'an:

"Surely in the Messenger of Allah (Muhammad) you have a good example who looks unto Allah and the Last Day, and remembers Allah much." *The Qur'an* 33:21

"There is a good pattern for you in Ibrahim and those with him" *The Qur'an* 60:4

"Surely, you have in them (prophets and messengers of Allah) a goodly pattern who looks to Allah and the Last Day. And whosoever turns away, lo! still Allah, He is the Absolute, the Owner of Praise." *The Qur'an* 60:6

According to the above quoted verses in translation, all prophets and messengers are role models for the Muslims and lastly, Prophet Muhammad(S) is the role model for all times to come. If the Sunnah of any of the previous prophets does not contradict the Sunnah of the Prophet Muhammad(S), their Sunnah is also a pattern for the Muslims. Prophet Muhammad's(S) entire life from the day he received the first revelation, until the day he met his and our Rabb, is a role model for the Muslims unless there is a text to contradict any of his sayings or actions.

Consequently, we find that the actions of the Prophets Ibrahim, Yousuf and Muhammad (peace be upon them) and the others are good patterns for us. We find in the Qur'an, "**We make no distinction between any of His messengers**" (2:285). No one can say that the Sunnah of the Prophet Yusuf(S), as found in the Qur'an, is no longer a pattern for us. No one can say that the early years of the Prophet Muhammad (S) are no longer a pattern for us. Whenever Muslims find themselves in a similar or comparable condition or situation in which Prophet Muhammad(S) found himself, Muslims can emulate his pattern. In the course of living by the Shari'ah as much as possible, we may, in fiqhi matters, adopt a different line from those Muslims living in Muslim-majority countries.

Call of the Qur'an

Allah (S.W.T.) says in the Qur'an:

"Verily, man is bound to lose himself unless he be of those who attain to faith, and do good works, and enjoin upon one another the keeping to truth and enjoin one another endurance (in adversity)." *103:2-3*

This address is made to the whole of mankind, not only to the Muslims. However, Muslims have the responsibility to enjoin others among humankind to the keeping of the truth.

In another place of the Qur'an Allah says:

"And who could be better of speech than he who calls (his follow men) unto Allah, and does what is just and right, and says, "Verily, I am of those who have surrendered themselves to Allah." *41:33*

Again, according to this verse, the calling of people to Allah (S.W.T.) is one of the greatest virtues. Isolationism and dissociation from humankind does not provide the opportunities of calling people to Allah (S.W.T.). How do you call people to Allah (S.W.T.) if you have no interaction? How do you call a member of parliament or a cabinet member to Allah (S.W.T.) unless you talk to them as coequals? If you make

an appointment to see any of them, you go and discuss the issues. If you are an elected member of the parliament you sit with them as a coequal, the way in which the "believer" was regarded in Pharaoh's court. He spoke as a coequal, had an impact on his fellow courtiers, and was able to dissuade Pharaoh from carrying out his idea of killing Musa(S).

Some Fatwas

I draw your attention to some the following Fatwas which were posted at www.islamonline.com Here you will find real scholarship.

Cooperation with non-Muslims

In the name of Allah, most Gracious, most Merciful.

All praise and thanks are due to Allah, and peace and blessings be upon His Messenger.

Reflecting on the practices of the Prophet, peace and blessings be upon him, as stated in the Prophetic Biography, we will notice fine examples set by the Prophet, peace and blessings be upon him, making it clear that forming some sort of cooperation with non-Muslims in worldly affairs is permissible as long as that will bring benefits to Muslims, and will help establish justice or ward off injustice. Hence, there is nothing in Muslims' participating in elections run in non-Muslim countries, especially when such participation accrues benefits to Muslims or ward off harms.

In his response to the question, the **European Council for Fatwa and Research** issues the following Fatwa:

"Before answering this question, we will shed light on the following three aspects:

1-*Al-Walaa'* (loyalty).

2- The Prophet's participation in some activities in Makkan and Medinan societies.

3- The Constitution of Madinah.

-The first aspect: *Al-Walaa'* can be divided into the two sections:

1- Loyalty in religious matters. It refers to creedal loyalty, which lies in believing in Allah and shunning other beliefs that run counter to the Oneness of Allah. This kind of *Al-Walaa'* is due to Allah, His Messenger and the believers. Almighty Allah Says: **"Your friend can be only Allah; and His messenger and those who believe, who establish worship and pay the poor due, and bow down (in prayer)"** (Al-Ma'dah: 55)

2-Loyalty as regards worldly matters: This refers to transactions between people living in the same society or between different societies, regardless the distance and the religion. It is permissible for Muslims to engage with non-Muslims in commercial transactions, peace treaties and covenants according to the rules and conditions prevalent in those countries. Books of Jurisprudence do contain many references about such kind of dealings.

- **The second aspect:** The Prophet's participation in activities in the Makkan and Madinan societies.

Throughout his life before and after the Prophetic mission, Prophet Muhammad, peace and blessings be upon him, participated in many events that took place in the Makkan and Madinan societies. Following are the most prominent events he participated in before being a Prophet.

-First: *The Fужar War*:

This war was waged against some Arab tribes who violated the sacredness of the Holy Prescint in the sacred months. Hence, the Makkan people had to defend the holy sanctuary; this was a good custom they inherited from the upright religion of Prophet Abraham. This fight lasted for four years, and the Prophet's age at that time was around 15-19 years. He participated in this war side by side with his uncles. That is, he would defend his uncles against the enemies' attack. The Prophet, peace and blessings be upon him, did so out of his sense that he should share in defending his homeland and ward off aggression and injustice.

- Second: *Al-Fudul Alliance*:

This incident occurred in the house of Abdullah bin Jad'an between the greatest tribes in Makkah. One of the principles they agreed upon was backing up any oppressed person in Makkah, regardless of his origin and the purpose behind his visit; they vowed to help him regain his rights. At the advent of his mission, the Prophet, peace and blessings be upon him, is reported to have said (i.e. while referring to this alliance): **"If I am invited to join a similar (alliance) after the spread of Islam, I will, surely, join it."**

Commenting on the aforementioned point regarding the Prophet's participation in that alliance, Sheikh Muhammad Al-Ghazali stated: "Combatting an oppressor however brutal he may be, and supporting an oppressed however low he may be, are consistent with the spirit of Islam that enjoins what is right, forbids what is wrong and calls for abiding by the limits set by Allah.

Moreover, Islam aims at putting an end to injustice whether in the general policies adopted by countries or oppression at the individual level. The Prophet's participation in Al-Fudul Alliance reveals the positive attitude he took, for he considered himself part and parcel of the Makkan society. Besides, the Prophet, peace and blessings be upon him, was aware of the fact that if oppression or any form of injustice in the society is not eliminated, their ill effects will befall all and sundry.

Third: The Prophet's Response to SOS Calls:

The humanitarian gestures of the Prophet, peace and blessings be upon him, towards the people of Makkah was not confined to the period he spent with them. This noble attitude continued even after emigrating Makkah to Madinah and establishing the Islamic state there, as he rushed to lend the hand of support when calamities befell the people of Makkah.

It is reported that during the time of Al-Hudaibiyah peace treaty, the Prophet was informed that a famine had afflicted the Makkan people. Thus he sent Hatib bin Abi Balta'a with 500 dinars to buy foods for the poor and the needy among the Makkans. You see, he did this despite that it was the same people that drove him out of the city and even hindered him from entering it.

-The third aspect: The constitution of Madinah:

Considering the constitution of Madinah or the treaty held between Muslims, Jews and the Arab polytheists who constituted the population of Madinah at that time, after emigration, one will notice that the Prophet, peace and blessings be upon him, stressed the importance of showing belonging and patriotism to the society. Thus, he made it clear that this is a general duty shared by all regardless of religions, races or complexions. The treaty stipulated the following:

- 1-They (those who sign the treaty) should support one another in combatting the attacks waged against any of them.
- 2-They, together, should back up the oppressed.
- 3-They, together, should fight against any enemy attacking Yathrib (Madinah).

We deduce from these three aspects that the early Muslims managed to cooperate with people of other religions, living together in the same society of Madinah, in fighting against anyone who tried to bring about sedition among people. Thus, they maintained peaceful co-existence within the same society.

This form of *Al-Walaa'* comes under what we term '*Al-Walaa'* in worldly affairs'. It states that citizens can live together in the same society in spite of their different faiths and religious orientations. Moreover, the Constitution of Madinah regarded the People of the Book as part and parcel of the first Islamic State. For instance, some of its articles state:

- 1- The Jews of the tribe of Banu 'Awf are part of the Muslim community.
- 2- Jews have their own religion and Muslims have their own religion.
- 3- The rest of the Jewish tribes have the same rights as do the tribe of Banu 'Auf.

Conclusion:

Considering the issue of *Al-Walaa'*, it is evident that there's nothing wrong Islamically in having some sort of such cooperation between Muslims and non-

Muslim as regards worldly affairs. Besides, the Prophetic Biography is abound with fine examples of how the Prophet, peace and blessings be upon him, dealt amicably with non-Muslims, both in the Makkan and Madinan societies. He shared in many pacts and alliances aiming at eliminating injustice and aggression, in addition, he shared in relieving the impact of adversities and famines.

According to the articles of the Madinah constitution, the residents of Madinah would cooperate in establishing justice, supporting one another in combating aggression and help one another do righteous acts.

So it's clear that mutual cooperation in worldly affairs goes far to encompass all citizens who share a common destiny, neighbourhood and sometimes kinship. This may be extended to include economic and commercial fields. In addition, the teachings of Islam, as deduced from the Qur'an and Sunnah, show that Islam is a religion of mercy, justice, goodness. One of the main goals of Islamic law is to achieve benefits and ward off harms, whether at the level of individuals or at the level of society.

Furthermore, elections in the modern world systems have become a means through which peoples choose candidates and judge the programmes they adopt. Muslims living in such societies enjoy rights and are bound to do some duties. If they fail to meet the duties obligated on them, they are no more entitled to receive the rights, for the rights meet the duties.

Thus, Muslims' participation in elections is a religious duty; in addition it falls under cooperation on that which is good and righteous for the society and wording off harms from it, Allah Almighty says: **"... help ye one another unto righteousness and pious duty. Help not one another unto sin and transgression..."** (Al-Ma'dah: 2)

Therefore, we can say that Muslim's participating in elections held in non-Muslim societies is Islamically permissible and there is nothing wrong in doing so. Besides, it is a kind of mutual cooperation with those whom Muslims think as potential candidates who, if they win the elections, will bring benefits for the society in general and Muslims in particular."

Muslim scholars on voting

I consider Muslim political participation, especially in a non-Muslim country, as a form of jihad,

This is our country and it would be foolish not to participate in the political processes which eventually shape our future and that of Islam. I support marching in the streets to raise awareness about certain issues. However, if we really want to change the status-quo then we have to influence those who walk the corridors of power. Muslims need not only to vote but put forward Muslim candidates in all the mainstream and serious independent parties. We need to be represented or be present at the tables around which policies are discussed, made and agreed.

Sayyiduna Yusuf (as) put himself forward in the political process of Egypt - the rest is

history! [Refer to Quran 12:55]. He saved countless lives, united people with God and showed how rulers ought to rule. Are Muslims in our country saying they do not want to unite people with God and save them from eternal doom? Do we want to remain "slaves" under the dominion of others without power of any sort? Or do we want to become masters; just, caring and merciful? The right to vote is one of Allah's blessings over us which we can use to benefit society. There are many in the world who do not have this blessing. Allah says in the Quran:

"Allah presents an example: a slave (who is) owned and unable to do a thing and he to whom We have provided from Us good provision so he spends from it secretly and publicly. Can they be equal? Praise be to Allah! But most of them do not know." [Quran 16:75]

So get up and use that blessing!

[Shaykh Ibrahim Mogra, Chair, Mosques and community relations committee at the MCB; Graduate of Dar-ul-Uloom, Holcombe; Al-Azhar University; S.O.A.S, London]

In my humble opinion participating in public affairs is mandatory for all adult Muslims casting one's vote are essential. My opinion is based upon the following evidences:

1. Numerous texts from the Qur'ân and Sunnah prove that to enjoin good and forbid evil is an intrinsic part of Faith, and therefore one of the greatest communal obligations in Islâm, as Allâh says, "You are the best nation ever to be brought forth for people. You enjoin the good and forbid the evil, and you believe in Allah." (âl-'Imrân, 110)

Based upon this, it is mandatory that every Muslim change the evil in his or her life. Undoubtedly, if we have the ability to potentially delay and disrupt the plans of those who are in power then this becomes an obligation for us. Likewise, blocking the BNP is undoubtedly from the communal obligations upon the Muslims.

2. The specific evil in the world that has been caused by the expansionist foreign policy of certain states is undoubtedly a great trial facing our nation today. As proved above, it is upon us to 'commit' the lesser evil of supporting some political parties in order to ward off the greater evil.

3. According to many scholars, it is allowed to enter the political system in order to elicit change using the well known principle found in Usûl ul-Fiqh namely "**Shar'u man qablana, shar'un lanâ**" i.e. "The legislative laws of the previous prophets is legislation for our nation too." The scholars who accepted this principle, clarifying that it would only be applicable if it had not been abrogated by legislation in our Sharî'ah, used the Qur'ânic narrative on the Prophet Yûsuf ('alayhis salâm). He accepted a ministerial position in a government that was ruling by laws other than the

Law of Allâh in order to achieve the greater good. It is accepted by these scholars that there is nothing in fact within our Sharî'ah that contradicts or abrogates such an action.

Using these facts, to enter the political system either by standing for election or simply supporting those standing is something to be taken seriously. It should be encouraged with the full involvement of the people of knowledge and experience in order to safeguard the sacrosanct nature of the Sharî'ah.

Effective action is always the objective and this can only be achieved by constant contact with the 'ulemâ as previously mentioned. Finally, the following action is advised:

- We must use our vote and the votes of all family members who are eligible. For instance it is imperative that our elder women who rarely use this legal right do so. It is incumbent upon us to ward off the greater evils which will be realised by our apathy at this time of need.
- One should consult the people of knowledge and political acumen in their local areas before making a decision on whom to vote for. There are natural advantages and disadvantages to be found in all the parties which is why we have explained the principle of accepting the lesser of the two evils in such detail.
- One should consider carefully who has been supporting their Islâmîc rights most and is promising the most benefit for Muslims on the whole etc.

Imam Dr Abduljalil Sajid (Imam of Brighton Islamic Mission and Chair Muslim Council for Religious and Racial Harmony UK)

Looking at the situation of the Muslim community and their need to have their interests met, it becomes advisable for the Muslims to achieve this purpose through the available political system. Through voting, a man can bring to Parliament such candidates who sympathise with the Muslim cause. The vote can be treated either as a good intercession (Ayah 85, Surah An-Nisa), or as Naseehah (hadith narrated by Tamim Ad-Dari in which Naseehah is to be advanced for the betterment of the Muslims in general), or it can be treated as Tawkeel (deputising someone on your behalf to achieve a certain task). Whichever you take, by voting you can bring a better change in the affairs of this country.

[Shaykh Suhaib Hasan, Secretary, Islamic Sharia Council of Great Britain; Chairman, Masjid & Madrasah al-Tawhid, London; Graduate of Islamic University at Madinah]

“For their protection and for their identity to be preserved it is vital that Muslims participate in the political process of the society that they are living in.”

[Shaykh Aurangzeb Khan, Imam of Dar-us-Salaam, Nottingham, UK]

It has long been my position that any type of participation in democracy is a type of approval of that system. I have no doubt that democracy is antithetical to Islam. However, having read and listened to the sayings of many scholars on this issue, and being faced with the reality of a growing Muslim population here in the UK, who for all intents and purposes consider this their home, it has become clear to me that we must participate in every aspect of society as much as possible to ensure our rights and continued existence and well being in this society. This participation most certainly includes voting for whichever party or candidate best serves the needs and interests of the UK and indeed world wide Muslim population. This does not mean approval or acceptance of the ideal of democracy, but the intention is to use the means and avenues available to benefit the Muslims. The Prophet (saws) did not approve of the system of tribalism in Arabia, in fact he condemned it, but this did not stop the Prophet (saws) from accepting the protection of his uncle and the tribe of Banu Haashim. In addition to that it seems to me that the evil of participation is far less than the evil that will befall the Muslims if we do not, and the Shariah teaches us always to choose the path of lesser evil. This has been expounded and clarified by the scholars.

[Shaykh Abdur Raheem Green, Dawah Administrator, Central Mosque, London]

The opinion of imams and scholars on taking part in election are clearly in favour of taking part in the democratic process. This gives us an opportunity to choose the candidate who will best serve the interest of our community. Not taking part in election will deprive us of the political prowess and clout that we command in certain inner city areas of Britain. That is not our interest. I urge every one to use their vote effectively.

[Dr. Musharraf Hussain, Director & Imam, Karimia Institute, Nottingham; graduate of Al Azher University]

“...it is incumbent upon Muslims to actively participate for the following reasons: 1) In order to protect our rights as American citizens, we must be involved in politics. 2) Our involvement can facilitate our support of our fellow Muslims around the world. 3) Our interaction with non-Muslims and our involvement will help to spread Islam's message. 4) It helps to convey the universality of Islam... Our participation is an obligation in Islam, and not merely "a right" that we can choose to forfeit at will. It affords us the opportunity to protect our human rights, guarantee the fulfillment of our needs, and work for the improvement of living conditions for Muslims and non-Muslims in America and abroad... Whatever helps us to achieve these noble goals becomes Islamically obligatory. This includes: ... Supporting (both politically and financially) those non-Muslim candidates whose beliefs and values are most compatible with ours as Muslims, and who most address and support our issues and causes... Registering to vote and then voting. Although separate acts, they are both an essential part of the electoral process. Our participation in that process is mandatory.”

Muslims are recommended or even obliged to vote for the party who will be of most benefit on a national and international level, who will increase upon that which is good, or at the least, lessen the extent of the current evil prevalent in the world today.

[Shaykh Haitham Al-Haddad, Imam, Khateeb and Cultural Manager of al-Muntada al-Islami, London; BSc in Law & Islamic Law from Umdurman University, Khartoum, Sudan]

Voting for a non-Muslim candidate who would serve the Muslim community in the country and deal with Muslim countries on the basis of justice and fairness is not only permissible but required. It is the responsibility of the Muslim minorities in non-Muslim democratic countries to participate in public life, including voting and financing campaigns in order to be able to positively influence the political decision in these countries.

[Shaykh Muhammad Al-Mukhtar Al-Shinqiti, Islamic Center of South Plains, Texas]

“...it is incumbent upon Muslims to actively participate for the following reasons: 1) In order to protect our rights as American citizens, we must be involved in politics. 2) Our involvement can facilitate our support of our fellow Muslims around the world. 3) Our interaction with non-Muslims and our involvement will help to spread Islam's message. 4) It helps to convey the universality of Islam... Our participation is an obligation in Islam, and not merely "a right" that we can choose to forfeit at will. It affords us the opportunity to protect our human rights, guarantee the fulfillment of our needs, and work for the improvement of living conditions for Muslims and non-Muslims in America and abroad... Whatever helps us to achieve these noble goals becomes Islamically obligatory. This includes: ... Supporting (both politically and financially) those non-Muslim candidates whose beliefs and values are most compatible with ours as Muslims, and who most address and support our issues and causes... Registering to vote and then voting. Although separate acts, they are both an essential part of the electoral process. Our participation in that process is mandatory.”

[Shaykh Taha Jabir al-Alwani, Muslim World League, Makkah; OIC Islamic Fiqh Academy]

“I'll just give you one specific example. Suppose you have two candidates for president, for example. Both of them might be not even sympathetic to just Muslim causes, suppose. In most cases that is actually the situation... However, in terms of relative harm and benefit which is a rule of Shariah it may be the collective wisdom, for example, of Muslim voters that one of them would do even greater harm to Muslim causes than the other... Well in that case, obviously, the lesser of the two harms, i.e. electing or voting for someone who will do less harm to Muslims obviously would be much better than sitting on the sidelines and just criticizing both and doing nothing about it... Voting for them and supporting them in elections is not necessarily an agreement with everything that the law, by way of laws and regulations. But at least it would be for that particular, limited purpose.”

The opinion of imams and scholars on taking part in election are clearly in favour of taking part in the democratic process. This gives us an opportunity to choose the candidate who will best serve the interest of our community. Not taking part in election will deprive us of the political prowess and clout that we command in certain inner city areas of Britain. That is not our interest. I urge every one to use their vote effectively.

[Dr. Jamal Badawi, Islamic Society of North America; Islamic Information Foundation]

“I hold the opinion that it is lawful to participate in elections, as this may reduce suffering, and it is a way to choose the better among the available candidates. I believe participating in elections will, in any event, contribute to the reduction of evil and be a forum for countering bad policies and exposing their deficiencies, as well as being an opportunity to present proposals of a different kind that may help people.”

”As for participation in politics itself, we should consider that if the parliaments and congresses of these countries do not have any Muslim members, then this will pave the way for the opposition to come forth with their harmful views and policies, which will consequently be incorporated into the laws of their countries and bring harm to the Muslims.”

”I hold this opinion to participate in elections and to vote for those who seem to be good or at least less harmful than others.”

[Shaykh Salman Al Awdah, Imam Bin Saud Islamic University]

“Since seeing that voting is a testimony (giving Shahadah) and being aware that a particular party will be more willing to fulfil our Islamic rights, not to vote for this party will be tantamount to transgression and breach of trust in the eyes of Shariah.”

[Mufti Ibrahim Desai, Darul Ifta, South Africa]

“...In a situation where there is no worthy candidate (as in non-Muslim countries, where at least the ideologies and beliefs of the relevant parties are contrary to the teachings of Shariah), then the vote should be given to the one who is the better and more trust worthy than the other candidates... Vote should be given to the candidate that one believes will give people their rights, prevent oppression, and so on... If it is thought that a particular candidate or party will be of benefit to the general public in their day to day affairs, then the vote should be given to him. And by voting a particular party, it will not be considered that one agrees with all their ideologies and beliefs... At times, voting becomes necessary. Sayyiduna Abu Bakr (rAa) narrates that the Messenger of Allah (sAas) said: "If people see an oppressor and don't prevent him, then it is very likely that Allah will include all of them in the punishment" (Sunan Tirmizi & Sunan Abu Dawud). Therefore, if you see open oppression and transgression, and despite having the capability of preventing this oppression by giving your vote, you don't do so, then in the light of this Hadith you will be sinful...”

[Mufti Muhammad ibn Adam al-Kawthari, Dar al-Iftaa; Darul Uloom; student of Mufti Taqi Usmani]

“...there is nothing wrong with Muslims casting their votes in favour of the less evil candidate. In any case, this is the matter of ijtihaad based on the principle of weighing up the pros and cons, what is in the interests of Islam and what is detrimental... No one should imagine that anyone who says that it is OK to vote is thereby expressing approval or support for kufr. It is done in the interests of the Muslims, not out of love for kufr and its people...”

[Shaykh Muhammad Salih al-Munajjid, Supervisor, Islam QA.com; student of Shaykhs Bin Baz and Ibn Uthaymeen]

"As Muslims, we have the duty to command good and forbid evil. When we translate this into political action, we are to support those candidates who uphold the values or principles we cherish; so if we find a candidate who upholds the values or principles that we cherish, then we are to support him, if, however, we do not find such a candidate but we are left with two and each of them has positive and negative sides, then we should support the one whose positive side outweighs the negative."

[Shaykh Ahmad Kutty, Islamic Institute of Toronto; Islamic Center of Canada]

"All efforts should be made, bearing in mind the political situation of a particular country, to ensure full participation in the political process. This is an absolute necessity. Muslims should not be reticent about their involvement in this regard. Rather, they should make progress in this matter."

[Maulana Khalilul Rahman Sajjad Nomani Nadwi, Darul Uloom Nadwatul Ulama and Madinah University]

By Imam Dr Abduljalil Sajid

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THE MUSLIM COUNCIL OF BRITAIN

3 June 2004

Press Release

Muslims Urged to Vote to Keep Racists Out

The Muslim Council of Britain has today sent an urgent letter to all of the country's mosques, Islamic associations and institutions urging them to encourage their communities to take the fullest part in the upcoming local and European elections on June 10. With the British European relationship becoming increasingly important, it is necessary that they exercise their right wisely and diligently.

Their participation is very important in order not to let in the racist and Far Right parties simply by default which could happen if people do not vote and there is a low turnout.

" Under the electoral rules, any extremist party, for example the BNP, needs only five percent of the votes to win seats in the Greater London Assembly elections and around 9% of the votes to gain delegates to the European Parliament. The bid by the racist right to seek attention by focussing on anti-Muslim sentiments is a disturbing trend for the health of our democracy and there is no time to sit back and not to exercise our vote, " said Iqbal Sacranie, Secretary-General of the Muslim Council of Britain.

"This is the opportunity to support parties which have Muslim friendly policies. Please convey this urgent message in your Friday khutbah and rally the

community to take action by voting on Thursday 10 June," said Mr Sacranie.

[Ends]

Note for Editors:

1. The Muslim Council of Britain's letter to mosques, Islamic associations and institutions can be found online at www.mcb.org.uk/Jun04_letter_mosques.pdf
2. The BNP's anti-Muslim party political broadcast can still be viewed at the BNP's official website at www.bnp.org.uk
3. The Arabic word 'Khutbah' in the final paragraph above refers to the weekly Friday 'sermon' that the Imam delivers to the assembled congregation.
4. The MCB has organised a televised hustings for the Muslim community with all the leading London Mayoral candidates on 4th of June. For more details go to: http://www.mcb.org.uk/MCB_Mayoral_hustings.pdf
5. The Muslim Council of Britain (www.mcb.org.uk) is the UK's representative Muslim umbrella body with over 400 affiliated national, regional and local organisations, mosques, charities and schools.

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