The Ruling on Muslim Participation in the Political Life of the West

Issued by *Hizb ut-Tahrir* - Europe

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Preface to UK Translation

In 2003 members of Hizb ut-Tahrir in Europe looked at the much discussed issue of the Muslim participation in the political life of the West, and issued a short booklet explaining the Islamic ruling on the issue – based upon *Quran*, *Sunnah*, *Ijma' as-Sahabah* and *Qiyas*.

Prior to this, some Muslims viewed the issue purely from the basis of their own material interests or those of the Muslim community at large.

Others looked at the issue from a 'pseudo-Islamic' viewpoint - 'pseudo-Islamic', because from the outset those thinkers looked, not from the perspective of Islam, but by assuming that engagement within the Western system was the only practical means for Muslims to engage in non-Muslim countries – just as others had previously assumed that political engagement in Muslim countries could only practically be done by engaging in the *kufr* systems that exist there. These Muslims were not necessarily insincere, but misguided. They usually accepted that secularism (the separation of *deen* from *dunya*) and that legislation by other than what Allah revealed were *kufr*. However, they argued pragmatically that the 'procedural' elements of the secular democratic system – i.e. elections - were permissible, even if the 'philosophical' elements were impermissible. Regardless of their intention, the result was a confused set of ideas that accept that the Western system is the accepted standard – and that an Islamic argument should be brought to explore how it could be used.

This approach fundamentally differs from an Islamic approach. Looking at the Islamic ruling on an issue requires that the issue be viewed objectively and dispassionately, before measuring it against the Islamic texts. The conclusion is then accepted as it is – whether it accords with ones desires or not – and any political strategy should then be proposed based upon what Islam obliges, and within the limits of what Islam permits.

Whilst the examples and details contained within this book are based on the systems that exist in continental Europe, there is much that can be learned by Muslims who live in other places where the systems might differ in some of the details.

The book concludes with some broad principles of how Muslims living in the West should develop their political activity:

- 1. Restricting ourselves to the *Halal* means alone
- 2. Not sacrificing the interests of the global *Ummah* for a local gain
- 3. Remaining united as a community rather than allowing ourselves to be divided
- 4. Looking to achieve a degree of self-reliance, so that Muslims are not beholden to others.

We pray that Muslims find a benefit in this work produced by our brothers and sisters in Europe – in particular at a time when the discussion in Britain is on-going.

Hizb ut-Tahrir

Britain April 2010 Rabi' al-Thani 1431

www.hizb.org.uk

بسم اللهِ الرَّحْمَنِ الرَّحِيمِ

The Ruling on the Participation by Muslims in the Political Life of the West

Issued by *Hizb ut-Tahrir* - Europe

أَلَمْ تَرَ إِلَى الَّذِينَ يَرْعُمُونَ أَنَهُمْ آمَنُوا بِمَا أُنزِلَ إِللَّكَ وَمَا أُنزِلَ مِن قَبْلِكَ يُريدُونَ أَن يَتَحَاكَمُوا إِلَى الطَّاغُوتِ وَقَدْ أُمِرُوا أَن يَكَفُرُوا بِهِ وَيُرِيدُ الشَّيْطانُ أَن يُضلِّهُمْ ضَلَالاً بَعِيدًا

"Have you seen those who claim that they believe in that which has been sent down to you, and that which has been sent down before you, and they wish to go for judgement (in their disputes) to the Taghut (false judges) while they have been ordered to reject them. But Shaytan wishes to lead them far astray." [Translated Meaning of Quran 4:60]

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Introduction

Politics means to look after the affairs of people and having concern for them. It is therefore an inseparable part of Islam. Many texts have commanded looking after the affairs of the people; for example Ibn 'Umar رضي الله عنهما narrated that the Prophet مناه عنه said: "Each and every one of you is a Shepherd and he is responsible for his flock. The Ameer is a Shepherd, the man is a Shepherd over his family and the woman is a Shepherd over her husband's house and children. So each one of you is a Shephard and responsible for those under his care." [Bukhari Sahih #2558 and Muslim, Sahih #1829]

Tamim ad-Daari narrated that the Prophet صلى الله عليه وآله وسلم said: "The Deen is sincerity (Naseeha). We asked to whom? He (saw) said: To Allah, His Book, Messenger, the Imams (leaders) of the Muslims and the masses." [Reported by Muslim, Sahih #55.].

Some Muslims looked to the reality of immigrant life in Western countries and saw that millions of Muslims had taken up residence there. It was estimated that the number of (Muslim) immigrants living in the US was about 20 million; while the combined total in Europe is about the same, which equates to 6% of the total population of 15 EU member states. Some, then, posed the question: "What if Muslim minorities participated in the politics of their country of residence - such that their rights are protected, they can help Muslims in other countries and highlight the values and culture of Islam in the host nation?"

Someone aware of the universality of Islam and the Ummah's obligation to bear witness to mankind - and who is aware of the intergradations in contemporary international life would never accept the question in this manner. On the contrary, he would move away from the negative logic of concessions to the logic of looking at it positively and look upon it as an obligation, in harmony with what he knows of the general precepts of the Sharee'ah and the characteristics of the Ummah and the Message (*Risaalah*).'

They would say: "It is the duty of Muslims to participate, in a positive manner, in the political and social life, to defend their <u>rights</u>, support their brothers in faith wherever they are, convey the truths of Islam and realize its universality."

We say: "This is part of their 'duty' - because we do not consider it a mere 'right', which can be conceded, nor is it a 'concession they do not need to exercise"

What they meant by participating in the political life of the West is that the Muslim community collaborates in the various political areas available to it in the countries in which they reside. This stems from their rights of stay in the country. The call to participate, which they call to, appears in various matters; the most important of which are participation in: political parties, ruling, Parliament, council and elections.

But, looking after the affairs of people and administering them is a matter that can only take place after defining the pertinent rules and solutions. This is because the *Sharee'ah* of Allah irestricts the Muslim; and he has to control his behaviour in life according to the orders and prohibitions of Allah. Politics in the *Sharee'ah* is to look after the affairs of

people with Islam i.e. to manage their affairs according to the *Sharee'ah* rules.

He سبحانه وتعالى said:

"But no, by Your Lord, they can have no (real) faith until they make you judge in all disputes between them and find in their souls no resistance against your decisions, but accept them with the fullest submission" [Translated Meaning Quran 4:65]

Therefore, we believe it is necessary to study the *Sharee'ah* rules regarding participating in the political life of the West and to discuss it in a detailed manner; and to determine whether or not affairs are being looked after according to the rules of Islam or not.

Participating in political parties

The following was mentioned in the Encarta encyclopaedia 2000 (regarding political parties): A party is a structure made of people who are gathered around one political view. The most important characteristic of the political party is its organisation that links the societal and political thoughts of its members with a goal, in order to realize its regulating principles in economy, society and State, through its targeting of the ruling authority.'

In the political dictionary (Dizionario Di Politica) composed by a group of writers, the following definition was given: "According to the well known definition of Weber, the political party is a structure...that aims at a defined goal, whether it was a practical one, such as realizing one of the programs that has a material or ideological objective; or it was personal one, i.e. geared towards gaining interests and authority, such as eminence for its leaders; or the structure might aim at both of the two goals together."

So, a political party is: a structure whose members believe in specific thoughts, which they wish to establish in life. In other words, it is a group that is based on an ideology, which its members believe in and which they wish to establish in life. What makes the structure a party is the collection of thoughts that bonds the members of this structure. Hence, membership in the political party takes place only by the adoption of thoughts on which this party is established and by working in order to establish them in life. The individual aspect or the personal characteristics have no significance when it comes to affiliating to a group. There is also no consideration for what a person might conceal, in terms of just discharging people's interests and organizing their lives. Rather, a party affiliation demands that looking after the affairs and discharging of interests are carried out according to the thoughts on which the party has been established. It would be unimaginable that someone affiliated to a socialist party would look after the affairs according to the thoughts of a pure capitalist party. Nor would the party accept for him to support the positions of parties, which contradict his party in thought, proposals and programs. If he did that, then he would have taken himself out of the party by contradicting the very thought that binds him within the party with other members.

Islam has permitted the presence of parties and the existence of more than one party. He سبحانه وتعالى said:

"Let there arise out of you a group of people inviting to all that is good (Islam), enjoining the good and forbidding the evil. And it is they who are successful." [Translated Meaning Quran 3:104]

This ayah (verse) indicates that it is allowed to have more than one group. It also indicates that parties must be established on the Islamic 'Aqeedah and adopt the Sharee'ah rules. It is not allowed for them to be communist, socialist, capitalist, secular or nationalist - i.e. they cannot be established on anything other than the Islamic 'Aqeedah; nor can they adopt anything other than the Sharee'ah rules. This is because the ayah defined the description of the parties that can exist and the work they will do by defining the actions they will undertake: Da'wah to the good (khayr), which is Islam,

enjoining the good and forbidding the evil (See al-Tabari, *al-Jami' al-Bayan*, vol.7, pp.90-91). The one who undertakes these actions must ensure they stem from the Islamic basis, after which he conveys and adopts its rules. The person who affiliates on the basis of communism, socialism, capitalism and secularism etc - which contradict Islam and do not stem from the Islamic '*Aqeedah* - cannot adopt the rules which emanate from it. Such a group would be established on the basis of *kufr* and structured according to its thoughts and rules.

The parties that exist in western lands are established on the basis of socialism, capitalism, democracy, secularism, or patriotism - i.e. they are established on a basis other than Islam and they adopt other than the thoughts and rules of Islam.

The Muslim who wishes to participate in these parties and work with them has no option other than to adopt the thoughts of the party to which he wishes to affiliate and to discharge people's interests according to these thoughts. Such actions are obviously prohibited from the *shar'i* perspective, because it obliges the Muslim to affiliate around the thoughts of *kufr*, to call for *kufr* and defend it when he invites others to the thoughts of the party to which he has affiliated. It also places him in a position of committing *Haraam* when discharging people's interests, because he does not look after the affairs according to the rules of Islam but according to the thoughts of the party in which he became a member.

Moreover, every party has a manifesto, to which it calls others and wishes to implement in life, state and society. So when he calls people to elect and support him, he does so on the basis of his party's manifesto, which he presents as a complete list of policy pledges in the field of politics, economics and what they call the social policy.

When a person joins a party and works with it, he starts to call for the adopted manifesto and asks the people to elect his party upon that basis, so that the party can implement it if it manages to win a majority vote and achieve power.

Another purpose could be to influence other parties - in a situation where it shared power with them in a coalition government; or in order to account government, when it is not able to participate in government but remained in opposition. If what the group calls for is not on the basis of the Islamic Aqeedah and the *Sharee'ah* rules, then it is not allowed to call for it or to participate in it. He will be said:

"Help you one another in Birr and Taqwa (virtue, righteousness and piety); but do not help one another in sin and transgression. And fear Allah. Verily, Allah is Severe in punishment." [Translated Meaning Quran 5:2]

And the Messenger صلى الله عليه وآله وسل said: "The one who guides to good then he will have the same reward as the one who practices it (i.e. that which was good [Muslim, Sahih #1893])." Likewise, the one who guides to evil, such as kufr and Haraam, then he shall bear the sin of the one who undertakes it.

The Muslim who wishes to join a (secular) party does not have an option to accept or refuse the manifesto that the party proposes. From a party perspective, he cannot agree with and call for parts of the party manifesto, but leave other parts and call for their

rejection, after the manifesto has been approved by the party institutions that decide the party's election manifesto.

For example, someone who has joined the Green party couldn't oppose homosexuality, lesbianism and the permission for men to marry men and women to marry women - because the election manifesto of the Green party calls for allowing the sexually deviant to conclude marriage contracts legally. Rather he has to call for this part of the election manifesto just as he calls for other parts. Therefore, when he is asked about his view on homosexuality, lesbianism and the permissibility of such marriage contracts when he is calling for his party's manifesto, he must give the adopted view of the party and convey his support for this proposal. This extends to every part of the party manifesto and every clause, as long as the party has approved it by majority vote. In the same manner, he has no right to go against the announced party policy, even if it is unjust and is directed against Muslims and their interests - as we saw happen with a Muslim who affiliated to the Liberal party in Germany, when he didn't even oppose his party's policy towards the Zionist entity. All he did was to criticize Sharon and his actions against the Palestinians. He was not able to voice his own opinion in this party that brags about freedom and democracy.

Could there be anything more detestable for a Muslim than to become the advocate of sin, transgression and *kufr* - a defender of what Allah has rebuked in the clear and decisive *ahkam* He has revealed and what the Prophet ملى الله عليه وآله وسلم has forbidden in his explicit *ahadith*? Could any two Muslims disagree about the prohibition of such an action or fight about the matter in an unedifying way?

We are very surprised by some Muslims and their audacity towards the *Deen* of Allah سبحانه وتعالى when they permit a Muslim to work with such *kufr* parties and even make it an obligation! We ask them for the *daleel* (evidences) from the Book of Allah and the *Sunnah* of His Messenger, by which they allow or obligate working in political parties in the West, despite the creedal and *Shar'i* violation that it entails. What do they do with hundreds of *Shar'i* texts that forbid the Muslim from adopting, calling for and working for *kufr*? Texts that oblige opposition to *kufr* and *Haraam*, whatever their shape or form!

The Muslim who wishes to participate in Western political parties has two choices: either he joins them and is convinced by their thought and adopts their views. The least we could say about him is that he is a *Fasiq* committing a blatant transgression (and this, Allah forbid, if his transgression did not become *kufr*). Alternatively, he intends to deceive non-Muslims by affiliating to one of these groups, as a means to achieve some interests of Muslims - though he outwardly claims to believe in the thought of the party he joined, whilst inwardly rejecting it. This is the work of liars and hypocrites; a clear *Haraam* that a Muslim should stay away from. How could a Muslim give the true picture of Islam to non-Muslims, while he deceived them at source?

Power sharing

Ruling is authority and the ruler is the one who assumes the authority and implements the rules. The government is the state body that manages the affairs of the country.

In the Encarta encyclopaedia the following was mentioned: "The government is the state apparatus (individuals and institutions) that practice the task of leadership within a human political entity..."

In the *Dictionary of Philosophy* by J. Russ, it was mentioned that:

"Government is:

- *a)* The body that assumes the political authority in a State.
- b) The host of institutions and organisations, through which the State exercises the authority (execution, legislative and judiciary).
- c) In the narrow meaning of its previous definition (in b.), it is an executive authority; or in other words, it is an entity that undertakes the management of the State and execution of the laws."

Therefore, what's intended by ruling is the implementation and execution of the order; and what's meant by government is the entity that manages the affairs and executes the laws in a country.

As for what is meant by power sharing in a Western state, it is to assume the powers of implementation and execution of the order in a government, such as for example assuming a ministerial post.

All governments in the world are established on the basis of the constitution of the country and implement the laws of the country. They preserve the constitution and laws. The governments in the Western countries are also established on the basis of the constitutions of Western states. They execute the laws and the constitutions and preserve both of them.

The one who studies the Western constitutions and laws finds that they are *kufr* constitutions and laws. The constitution or the basic law is the principles, which define the rights and duties of the individual and group, whether economic, social or political and regulate the authority and its powers. The laws are the detailed rules that are enacted to regulate the rights and duties included in the constitution, such as regulating ownership, wages, penal codes and other details necessary to implement the constitution and protect its principles. These matters in Western countries do not derive from the Book of Allah and the *Sunnah* of His Messenger; nor do they depend on the beliefs and rules of Islam. They contradict Islam completely. Western constitutions and laws are based on the creed of separating religion from life. They give sovereignty to the people as they give the right of legislation to other than Allah; while the constitution and laws in Islam are based on the Islamic 'Aqeedah, which gives the right of legislation to Allah and not the people and makes the *Deen* of Allah the judge over the people in all aspects of life. As for certain similarities that may be noticed in some rules such as private property, electing the ruler and accounting him, these are mere agreement in the branches despite the clear

difference in the foundations from which these rules emanated.

The Muslim, who wishes to participate in ruling in the western states by taking a post, in the cabinet for example in any government, is bound by the constitution and laws of the country. He has no choice whether he executes the laws or ignores the constitution and traditions that have become established in the country. Rather he must defend these laws and guard them. In other words the Muslim who shares power in western states must execute the rules of *kufr* and guard the *kufr* constitution and laws. And there is no doubt that this is prohibited. There are numerous texts that clarify this prohibition. For instance, He we were says:

"And whosoever does not rule by what Allah has revealed, such are the Kaafirun (disbelievers)." [Translated Meaning Quran 5:44]

He سبحانه وتعالى says:

"And whosoever does not rule by what Allah has revealed, such are the Zaalimun (unjust, oppressors)." [Translated Meaning Quran 5:45]

He سبحانه وتعالى says:

"And whosoever does not rule by what Allah has revealed, such are the Fasiqoon (transgressors)." [Translated Meaning Quran 5:47]

The word 'rule' in these *ayaat* includes anyone who has power and authority, because he decides and executes the order, whether he is the head of state, prime minister or his assistants - such as the cabinet minister or anybody who derives his authority from him. Anyone who has the powers to decide and execute matters is included under the word 'rule' in these and other such ayaat. So whoever decides and executes a matter in a manner that Allah has not permitted is ruling by other than what Allah revealed - whether he is ignorant or a scholar; whether he allows it due to an excuse or he seeks other than the law of Allah with conviction and acceptance; whether he himself is a ruler or his deputy. All these people rule by other than what Allah has revealed and they rule with kufr systems and rules. The above ayaat apply to them despite the difference of Shar' ruling regarding them. The one who rules by something other than what Allah has revealed due to ignorance and then comes to know of the Sharee'ah rule and does not change would be sinful. The one who rules by other than what Allah has revealed deliberately - is one of two, both of whom would go to the Fire: a *Kafir* who is outside the *Deen* of Islam, if he were convinced of the correctness of his actions and he believes Islam is not suitable - or he is a wrongdoer and transgressor, if he still believed in the correctness of Islam and the correctness of its rules (al-Mawardi, al-Nukat wa'l-'Uyun,).

He سبحانه وتعالى said:

"Judge between them by that which Allah has revealed and follow not their desires and beware of them lest they seduce you from some part of that which Allah has revealed to you." [Translated Meaning Quran 5:49]

This is a definite order from Allah to His Messenger and the Muslims after him -especially the rulers - of the obligation to rule with the rules Allah has revealed, whether it is an order or a prohibition, and not to follow the whims and the desires, and to be careful not to neglect any order which Allah has revealed. Thus the one who shares power in a Western state is turning away from the decisive order of Allah that obliges the ruling by what Allah has revealed, following his whims and desire and has been tempted into neglecting the command of Allah (al-Tabari, *al-Jami' al-Bayan*.)

The Qur'an has emphasized the supremacy of the rule of the *Sharee'ah* by negating the *Iman* of those who do not refer to the *Sharee'ah*, i.e. those who do not make the rule of the *Sharee'ah* the controller in relationships between people.

He سبحانه وتعالى said:

"But no, by Your Lord, they can have no (real) faith until they make you judge in all disputes between them." [Translated Meaning Quran 4:65]

He سبحانه وتعالى was not content with this and so He further stipulated in addition to the obligation of referring to the *Sharee'ah*, one must submit absolutely and have no resistance to the *hukm* in one's heart. Thus He said:

"And find in their souls no resistance against your decisions, but accept them with the fullest submission." [Translated Meaning Quran 4:65]

This attaches utmost importance to realise the *Shar* of Allah and to turn away from any other law (al-Tabari, *al-Jami' al-Bayan*, vol.8, p.18).

Allah سبحانه وتعالى said:

"The command is for none but Allah. He has commanded that you worship none but Him. That is the (true) straight religion, but most men know not." [Translated Meaning Quran Yusuf: 40]

He سبحانه وتعالى said:

أَلَمْ تَرَ إِلَى الَّذِينَ يَزْعُمُونَ أَنَّهُمْ آمَنُوا بِمَا أُنزِلَ إِلنَّكَ وَمَا أُنزِلَ مِن قَبْلِكَ يُريدُونَ أَن يَتَّحَاكَمُوا إِلَى الطَّاعُوتِ وَقَدْ أَمِرُوا أَن يَكَفُرُوا بِهِ وَيُريدُ الشَّيْطانُ أَن يُضِلِّهُمْ ضَلَالًا بَعِيدًا "Have you seen those (hypocrites) who claim that they believe in that which has been sent down to you, and that which has been sent down before you, and they wish to go for judgement (in their disputes) to the Taghut (false judges) while they have been ordered to reject them. But Shaytan wishes to lead them far astray." [Translated Meaning Quran 4:60]

In this ayah, Allah سبحانه وتعالى reproaches those who say they believe in the *Kitab* and *Sunnah* and believe in the former books, but despite this, they wish to refer to the *Taghut*. The systems of *kufr* applied in the western countries do not merely stem from the *Taghut*, rather they are the Taghut itself. In origin, the Muslim must refuse and reject reference to these *kufr* systems so as to adhere to what the ayah demands. So what about the one who goes beyond this and he becomes the one who rules by the rules of *kufr* and implements them?

The Muslims in the western lands are not the first to be given the opportunity to participate in *kufr* systems. And nor are they the first ones to be obliged to adopt a position regarding such an issue. What has been narrated in the Seerah of the Messenger مسلى الله عليه وآله وسلم contradicts the call for power sharing. The Prophet صلى الله عليه وآله وسلم refused to share power in the well-known story when this was offered to him. He did not see any benefit or interest in it.

Ibn 'Abbas narrated that Utbah and Shaybah, the sons of Rabeeah, Abu Sufyan b. Harb, Abu al-Bakhtari, al-Waleed b. al-Mugheerah, Abu Jahl b. Hisham, Abdullah b. Abi Umayyah, Umayyah b. Khalaf, al-'Aas b.al-Waa'il, they gathered next to the Ka'bah after sunset. Some of them said to the others: 'Send for Muhammad, speak to him and bargain with him until you are absolved of his guilt'. So they sent for him by saying that 'the noble ones from your people wish to speak to you'.

The Messenger of Allah صلى الله عليه وآله وسلم came to them, thinking that something came to their mind regarding him. He was concerned about them, wished they would be guided and was saddened that they suffered. So he sat with them. They said: "O Muhammad, we sent to you so as to be excused regarding you. We have seen no other man of the Arabs, who has brought so great a calamity to a nation, as you have done. You outraged our gods and religion and accused our forefathers and wise men of impiety and error and created strife amongst us. You have left no stone unturned to estrange the relations with us. If you are doing all this with a view of getting wealth, we will join together to give you greater riches than any man from Quraish has possessed. If you want honour, we will make you our chief. If you desire sovereignty we will readily offer you that. If you are under the power of an evil spirit that seems to haunt and dominate you so that you cannot shake off its yoke, then we shall call in skilful physicians to cure you so that we become absolved of your guilt."

The Messenger of Allah صلى الله عليه وآله وسلم said: "I have nothing in me of what you say. I did not bring you what I brought so as to seek your wealth, nor honour amongst you, nor sovereignty over you. It is rather Allah has sent me to you as a messenger. He brought down a Book upon me and He ordered me to bring you good tidings (basheer) and warn you (nadheer). Thus, I conveyed to you the message of Allah and gave you good advice. If you accepted from me what I brought to you, then it will be your fortune in this world and the Hereafter. If you, however, threw it back to me, I will

remain patient on the command of Allah till He decides between me and you."

This is an explicit text over the subject matter. It is clear in the text that the Prophet مليه وآله وسلم turned away from assuming the whole sovereignty despite what it contained of interests if realised would help the weak Muslims in Makkah. This is still far different from just sharing in *kufr* ruling. Thus, it is obligatory to follow the Prophet in this position he took, because he is entitled to be followed and emulated. The state of the Muslims in Makkah is similar to the state of the Muslims in Western countries, in terms of being a minority amongst a majority of *kuffar*.

In short, these and other texts decisively indicate the prohibition of ruling by other than Allah has revealed and the prohibition of participating in *kufr* rule in Western countries. We have scrutinized the evidences and we have not found evidence or a semblance of evidence that allows the participation in *kufr* rule in the Western countries, as long as these evidences are understood within the framework of recognized *Shar'i* and linguistic rules and are not misinterpreted.

Participating in parliament

Parliament is an institution within the democratic system, which undertakes the task of enacting laws; or it is the legislative authority elected by the people. (See *Encarta encyclopaedia* and the *Dictionary of Politics* pp.747-757).

The elected member of a Western parliament – regardless of the shape of rule in Western states – assumes certain key tasks, which include:

- 1. Holding the government to account
- 2. Legislation of laws
- 3. Granting votes of confidence to the government
- 4. Electing the President and approving projects and treaties.

In order to give legitimacy to parliaments, a comparison is usually made between the parliament and what's known as the council of the *Ummah* or *Majlis ash-Shura* in the Islamic State (the *Khilafah*). They consider both assemblies as representatives of people, and so give legitimacy to these parliaments. This comparison is made despite the fact that both assemblies are different in terms of the nature of the tasks they undertake. The work of the *Majlis al-Ummah* in the Islamic state is to provide consultation to the *Khaleefah*, to discuss laws and rules the *Khaleefah* wishes to adopt and to account the rulers and show disapproval of them. Its Muslim members also have the right to draw up the shortlist for candidacy to the *Khilafah* post. Thus, it is possible to highlight the difference between both assemblies by judging the functions of parliaments according to the criterion of Islam.

First function: Accounting the government.

Accounting the rulers is not only a permissible action in the *Sharee'ah*; it is rather an obligation. It comes under the rules pertaining to enjoining the good and forbidding the evil. Allah سبحانه وتعالى has granted great reward for the one who undertakes this obligation. Tariq b. Shihab narrated that a man asked the Prophet صلى الله عليه وآله وسلم "Which struggle" (Abu best?" He (saw) said: "The word of truth spoken before a tyrant ruler" (Abu Dawud, Sunan #4344).

However, this accounting must be undertaken on the basis of Islam and according to its rules. It is not allowed to account on the basis of *kufr* concepts or constitutions and systems, because accounting includes a command and prohibition. The one who accounts demands from the one being accounted that he leaves the manner in which he is looking after the affairs and to do it in another way which is better. There is no valid command or prohibition except that which is according to the laws of the *Sharee'ah*.

Accounting the rulers in Western countries, through the members of parliament, cannot take place except by being based on Western thoughts of secularism and capitalism and conducted according to the existing constitutions and laws of the country. The Muslim member in Western parliaments cannot account except in the above manner. This kind of accounting is not allowed, because it is established on a non-Islamic basis. Whilst it is possible to envisage that accounting can take place in parliaments in the Islamic world in a lawful manner, because their constitutions include formal articles that stipulate the

Islamic *Sharee'ah* as one of the sources of legislation, or because the majority of the members of parliament are Muslims. However, this is considered impossible under the structure of Western parliaments.

Second function: Legislation

Legislation in Islam is only for Allah, since sovereignty is restricted to the *Sharee'ah*. When the *Khaleefah* passes laws in the Islamic state, he is obliged to adopt them from the *Sharee'ah* rules if they relate to the *shar'i* aspects. If they are things which are left to the *Khaleefah* to decide through his own *ijtihad* and opinion, then this must be done according to the rules of Islam.

In the West, sovereignty belongs to the people. The people enact legislation through parliaments, which pass laws and give approval so that they can be implemented. When the Muslim MP participates in passing laws – and his situation is like any other MP – he does so as a person who has the right to legislate and in accordance with the *kufr* constitution and laws. This is exactly what has been explicitly forbidden and denounced in the saying of Allah where the constitution are constitution and laws.

"They (Jews and Christians) took their rabbis and their monks to be their lords besides Allah..." [Translated Meaning Quran 9:31]

Tirmizi and Bayhaqi reported in their Sunan on the authority of 'Addi b. Hatim (ra): I came to the Prophet (saw) while he was reciting the ayah in Surah al Baraa'ah: "They (Jews and Christians) took their rabbis and their monks to be their lords besides Allah..." [Translated Meaning Quran 9:31] The Messenger said: "They did not worship them, but when they made for them lawful things unlawful and unlawful things lawful, they (Jews and Christians) followed them."

Passing laws based on *kufr* constitutions constitutes seeking judgement from other than the *Sharee'ah* of Allah, and neglecting the Kitab and Sunnah, which is definitely *Haraam*. He سبحانه ونعالى said:

"O you who believe! Obey Allah and obey the Messenger and those of you in authority. And if you differ in anything amongst yourselves, refer it to Allah and His Messenger, if you believe in Allah and in the Last Day. That is better and more suitable for final determination." [Translated Meaning Quran 4:59]

And He سبحانه وتعالى said:

"But no, by Your Lord, they can have no (real) faith until they make you judge in all disputes between them and find in their souls no resistance against your decisions, but accept them with the fullest submission" [Translated Meaning Quran 4:65] (See al-Tabari, al-Jami' al-Bayan, vol.8, p.502);

Third function: granting vote of confidence or electing a president and approving projects and treaties.

Governments in Western countries and in democratic systems do not become official after they are formed until parliament grants them the vote of confidence. If the majority in parliament agree to this new government, then the government becomes legal and can pursue its tasks by undertaking the responsibilities of ruling. Likewise, in some Western countries, the parliament elects the country's president. Some projects and treaties cannot come into force unless parliament votes on them. It is also known to everyone that the government and the president both undertake their roles based on the constitution and laws. The same applies to the projects and treaties, which are concluded according to the constitution and laws.

When a Muslim MP gives the vote of confidence to a government or votes for a candidate for the presidency, or approves a plan or treaty, he is giving confidence to a government which rules by a system of *kufr* and a president who rules by *kufr*, and approves projects and treaties which contradict Islam and are based on the constitution and laws. All these actions are *Haraam*, because they entrust others with an action, which is *Haraam*; beside it is an acknowledgement and approval of *kufr*.

He سبحانه وتعالى said:

Do they then seek the judgement of (the Days of) Ignorance? And who is better in judgement than Allah for a people who have firm belief." [Translated Meaning Quran 5:50]

Also it has been reported in Sahih Muslim on the authority of Umm Salamah that the Messenger of Allah صلى الله عليه وآله وسلم said: "Ameers will be appointed over you, you will recognize some of what they do and you will disown some. Whoever recognized (that) he is absolved from blame. Whoever disapproved (of their bad deeds) he is safe; but whoever consented and followed them he is doomed." [Muslim, Sahih #1854]).

Can there be a stronger approval and pursuance of *munkar* than granting confidence to a government which rules by other than what Allah has revealed and approving projects, treaties and the rest of its actions?

Participating in the council

The council is composed of representatives of the city or town. It is concerned with public amenities. The council is a body which enjoys relative independence in looking after the affairs of its area (please refer to the dictionary of politics pp.163-171). Most of its actions it undertakes are administrative. However, there are some actions which fall under ruling; and what applies to ruling applies to them. By scrutinizing the reality of a council and its tasks, it becomes clear that the majority of its actions are *mubah*. However, it works in two areas which are evidently prohibited:

- 1. A council in the Western system is free to decide on certain matters and execute them making decisions over matters, as we have said previously, which are part of ruling. Thus, the council undertakes certain tasks of ruling at a local level such as imposing local taxes.
- 2. The council concludes usurious contracts and gives licenses to brothels and casinos. It also concludes prohibited marriage contracts and protects many types of *munkar* and corruption prevalent in the Western society and other actions, which the *Sharee'ah* prohibits.

The Muslim, who wishes to participate in a council at the level of chairman or an office bearer, has no alternative but to fall into sin and protect *munkaraat*, because his work will not be restricted only to the administrative matters which are *mubah*. Rather the nature of his work in the council obliges him to undertake things, which are definitely *Haraam*.

Participation in elections

A part of elections is representation (tawkeel). It is a style employed to elect individuals, who have the capacity of representation and authorization. The ruling of ibahah (allowance) applies to such elections as one of the mubah styles. However, its ruling, when it is linked to a work, is the same ruling of that work. The style of election is not a new practice. In the bai'ah (pledge) of Al-Aqabah, the Messenger allowed allows and allows and allowed allow

Elections in Western countries includes the election of the ruler, the Member of Parliament, the political party list (of candidates), the chairman of the council and its members. The *Sharee'ah* rule regarding this electoral participation relates to the reality of why someone is to be elected. If the election relates to a prohibited action, then the election is *Haraam*, because it is to elect people to undertake a *Haraam*.

Since the ruling in the West is on the basis of *Kufr* and *Haraam*, then the parliament undertakes actions of legislation without referring to Allah undertakes i.e. it undertakes actions of *kufr* and sin. The council also undertakes prohibited actions. Thus, participation in presidential, parliamentary and council elections in the West are *Haraam*, because they are a type of representation (*tawkeel*) over prohibited actions. In this regard, there is no difference between electing a Muslim or non-Muslin, because the election is related to the prohibited actions that have to be undertaken.

The election of the political party list is further *Haraam* because the election is not for a person but for a manifesto, which contradicts Islam. When a Muslim votes for a political party, he does not vote for individuals in their individual capacity as much as when he votes for a manifesto adopted by a party, with whatever it contains, whether this falls within the framework of something permitted by the *Sharee'ah* or it is *Haraam* or explicit *kufr*. It is a mistake when some Muslims claim that all one is doing is voting for a certain party; because it secures a benefit for the Muslims or it helps the *Ummah's* cause in a manner better than other parties. This is wrong because casting ones vote is not linked to one's intention or aim. Rather the reality of voting is that it is an election on the whole manifesto of a party, whether one wanted it or not.

The sin is greater when a *kaafir* ruler is elected, because ruling is not allowed for the *kuffar* in the *Sharee'ah*, since being Muslim is one of the conditions (*shurut*) of the ruler.

Some specious arguments and their refutation

Some Muslims permit participation in western political life from the standpoint of the idea of the 'Fiqh of minorities' (fiqhul aqalliyaat). They explain it saying that it is a specific fiqh which links the Sharee'ah rule to the circumstances of the community and the place in which it resides. They say it is the fiqh for a beleaguered community that has specific circumstances; and that what is right for this community may not be right for others. Also that the one who practices this type of fiqh requires culture from some social sciences especially sociology, economics, political science and international relations

They justify their view of participation with a number of justifications:

- a) Rational justifications, such as
- The idea of citizenship
- The unity of today's world through greater communication, where cultures intermingle and different peoples live in one place.
- b) Sharee 'ah justifications, such as:
- Story of Yusuf عليه السلام and the claim that he participated in ruling in Egypt
- Adherence to the Quranic concept of geography: the earth belongs to Allah and Islam is His *Deen*...and *Dar al-Islam* would be any land in which the Muslim is secure in his *Deen*, even if lives among a non-Muslim majority. *Dar al-Kufr* would be any land where the Muslim is not secure in his *Deen* even if the majority of its inhabitants profess the Islamic 'Ageedah and culture.

These are some of the most important justifications for the view that permits participation in the political life of Western countries. They are justifications that are far from the correct position; and therefore their invalidity must be clarified even in a brief manner due to lack of space.

Refutation of rational justifications

The basis in this type of discussion relating to participation in the political life of western lands is that it should be a legislative discussion and not a rational one. This is because the basis of actions is that they are restricted to the *Sharee'ah* rule; and the *daleel* of a *Sharee'ah* rule is the text from the *Kitab* and the *Sunnah* and what they allude to and not the mind. But the inclusion of the concept of citizenship and that of the global village within the study of the *manat* (reality) means it is appropriate to discuss this subject and to give our view on these matters:

First: The notion of citizenship

The argument is as follows: the idea of citizenship as we understand it today did not exist in the world in which our classical jurists (*Fuqaha*') lived. Rather what existed was a type of cultural affiliation to a certain civilization or political affiliation to a certain empire, which relied on a creedal measure. This type of affiliation meant that those who held a different belief were dealt with cautiously, and with varying levels of tolerance: from the Spanish Inquisition (at one extreme) to the position of *Dhimmis* (at the other).

It is argued that in the past, the right of citizenship was not given to one staying in a country outside the country of one's origin based on fixed measures - such as being born in the host country, length of stay or marriage. Rather, the one who arrived to stay used to, automatically, become a citizen when he participated in the beliefs and culture of the people in that country. Otherwise he would remain a stranger – no matter how long he was a resident in the country – if he was different to the people in these things.

It is further argued that the old world did not know what is now known as 'international law' or 'diplomatic relations', which obliges states to protect the citizens of other states residing in their country and to treat them the same as their own citizens are treated, except in certain rights which are afforded only to their own citizens.

This description is wrong from a number of angles:

1. Citizenship is an expression similar in meaning to what we call tabi'iyyah. Anyone who carries the tabi'iyyah of the Islamic state and chooses to live in Dar al-Islam will enjoy the right to have his affairs looked after regardless of his gender, colour or religion. Islam has made Muslims and non-Muslims equal in ruling, looking after of their affairs, application of rules and rights and duties except in those instances which are religious and cultural specific. The following was mentioned in the constitution of Madinah: "And that whoever, of the Jews, followed us has the right of help and the good example (of treatment)...And the Jews of Banu 'Awf are a community with the believers; the Jews have their own Deen and the Muslims have their own Deen, their followers (mawaalee) and themselves..." [Ibn Hisham]

Therefore, one cannot say the idea of citizenship is a new concept that did not exist before, in its current meaning. This is not correct.

2. The fact that the West considers the criteria of birth and marriage for granting citizenship does not change the reality of citizenship, because it is a result of residing in

the country or a *Dar* (land). It is acquired by the ways mentioned and by other means. But residence is the basis of citizenship. That is why such criteria have no consideration or effect on the reality of citizenship, and nor do they have an effect on the *ahkam* that result from citizenship.

3. To say that the old world did not know something called international law or diplomatic relations, which obliged every state to protect the citizens of other states residing in its lands and treating them the same as the original citizens are treated, is a statement that conflicts with the facts and history of Islam.

This is because - the principle of: 'compliance with the covenant and observance of (good) neighbourhood' dominated the 'old world', as they call it. This principle was known and used by the Arabs in Jahiliyyah and others like the Abyssinians. The best illustration of this is the example of interaction of the Najashi with the Muhajireen.

Islam legislated the principle of al-'ahd wal-jiwaar. It has explained this principle in a manner that befits its position and legislated rules for citizenship and tabi'iyyah. It has laid down its details and rules. The proof for this is many of texts in the Qur'an and the Sunnah and the practical examples of its implementation in the Islamic society throughout history. It was narrated from the Messenger of Allah allah collaboration in the said: "The one who oppresses a person under (our) covenant or degrades him, gives him work beyond his ability or takes something from him without right, I shall be a complainant against him on the Day of Judgement." [Reported by Abu Dawud and al-Bayhaqi].

Moreover, the following was mentioned in the constitution of Madinah: "Anyone from the Jews who comes under our authority he shall have our support and good example (of treatment)....And the Jews of Bani 'Awf are a community with the believers."

Ibn Janjawayh reported in Kitab al-Amwal that "Umar saw an old man begging from the people of Dhimmah so he said: what is the matter? The man said: I have no money and the Jizyah is taken from me. Umar replied: we have not treated you fairly. We have eaten your shaybah (old age) and then we take Jizyah from you. Umar then wrote to his Amileen—(governors) instructing them not to take Jizyah from the elderly."

4. The view regarding the right of citizenship cannot serve as a justification for participation in the political life or for anything else. This is because citizenship is, in reality, an attribute of the one who shares a place of residence with others. Even though it requires that the Muslim naturally submits to the rules and laws of that place, it can not, however, judge over the *Sharee'ah* or restrict its absolute (*mutlaq*) text, specify its general (*'amm*) text, or clarify its ambivalent (*mujmal*) text etc. If participation in *kufr* is allowed, for example, because of the right of citizenship, then it would be allowed to fight the Muslim based on the same right, which is false.

Making citizenship a justification means making citizenship a source of legislation, which permits the *Haraam* and forbids the *Halal*. This contradicts Islam completely.

Second: concept of global village

Scientific discoveries and technological inventions and advancement in the field of communications have turned a vast and expansive world into a small village. However, this fact has nothing to do with defining the concepts, which regulate human behaviour. They have no link to enacting law for a state or criteria for a society. The closeness in place and time does not turn a Muslim into a capitalist and nor does it turn a capitalist into a Muslim. It does not transform the *Halal* into *Haraam* or the *Haraam* into *Halal*.

It is argued that the telecommunications revolution has led to a global village and this has led to a blending and meeting of cultures, which has made the whole world turn to the *fiqh* of co-existence. This statement is incorrect because behind the revolution in telecommunications are the capitalist companies, which contribute to the capitalist domination of the world and work to dismiss Islam as an ideology and system of life. The reality of co-existence is often repeated in the writings of westerners and the media, which Muslims blindly claim is a benign means to further the exchange of cultures and acknowledging the presence of others. But in truth it is little more than the subjection of the Muslims to capitalism, whether in their lands or the Western countries.

Mutual understanding and co-existence amongst Muslims and others in Western countries must be on the basis of respecting the cultural, ideological and religious differences and not on the basis of their destruction, distortion and substitution, as the West wants. Participation in the political life of the West in the manner that exists today does nothing less than to ostracise the differences Muslims have with the mainstream, steering them away from the ahkam of their Deen and forcing them to adopt Western ideas, to act upon it and to call for it. So, where is this so-called co-existence?!

Refutation of the Shar'i justifications

ale عليه السلام First: Story of Yusuf

The story of Yusuf cannot serve as a justification for participating in the political life for many reasons. Here we shall mention two reasons, which should suffice, by Allah's permission.

1. It has been established in 'Ilm al-Usul that the Sharee'ah before us is not a Sharee'ah for us. The evidence for that is the saying of Allah سبحانه وتعالى

وَأَنزَلْنَا الِنْكَ الْكِتَابَ بِالْحَقِّ مُصِدِّقًا لَمَا بَيْنَ يَدَيْهِ مِنَ الْكِتَابِ وَمُهَيْمِنًا عَلَيْهِ فَاحْكُم بَبْنَهُم بِمَا أَنزَلَ اللّهُ وَلاَ تَتَبَعْ أَهْوَاءهُمْ عَمَّا جَاءكَ مِنَ الْحَقِّ لِكُلِّ جَعَلْنَا مِنكُمْ شَرْعَةُ وَهِلْهَاجًا

'And We have sent down to you (o Muhammad [saw]) the Book (this Qur'an) in truth, confirming the Scripture that came before it and dominating (witness) over it (old scriptures). So judge between them by What Allah has revealed, and follow not their vain desires, diverging away from the truth that has come to you. To each among you, We have prescribed a law and a clear way.' [Translated Meaning Quran 5:48]

As for the few who have said it is allowed to follow those who came before us and refer to the *Sharee'ah* they restricted it by saying: 'as long as it is not abrogated' (*maa lam yunsakh*). Thus the principle they follow is: *The Sharee'ah before us is Sharee'ah for us as long as it has not been abrogated*. Previously we clarified some *Sharee'ah* evidences from the Kitab of Allah and the Sunnah of His Messenger that prohibit in a definite manner ruling by other than what Allah has revealed. Thus, citing the action of Yusuf as being a *Sharee'ah* before us- according to their contention -as proof for participating in *kufr* rule is misplaced, even for those who take the principle of '*Shar'a Man Qablana'* (the laws which came to the people before us). This is because the aforementioned *Shar'i* evidences have abrogated the permissibility of participating in *kufr* rule (al-Shawkani, *Irshad al-Fuhul*).

2. If we take the view that the *Sharee'ah* before us is a *Sharee'ah* for us — and here we are specially referring to the *Sharee'ah* of Yusuf عليه – then should we allow the prostration (*sujood*) to human beings since that was in the *Sharee'ah* of Yusuf عليه السلام said:

"And he raised his parents to the throne and they fell down before him in prostration". [Translated Meaning Quran 12:100]

This is categorically not allowed in our *Deen* due to what has been reported from 'Abd Allah b. Abi Awfa who said: "when Mu'az came back from Sham, he prostrated before the Prophet (saw). What is this O Mu'az? He said: When I went to Ash-Sham I saw them prostrating before their bishops and patriarchs. So I thought to myself that I would do that myself before you. The Messenger of Allah (saw) said: do not do that. Had I ordered anyone to make prostration to anyone other than Allah I would have ordered the woman to prostrate before her husband." [Tirmidhi, Sunan #1159]

If this statement alone is good enough to disallow making prostration to human beings, which was allowed in the *Sharee'ah* of Yusuf عليه السلام then what of the tens of *ayaat* and *ahadith* that forbid ruling by other than what Allah has revealed or participating in *kufr* rule?

He سبحانه وتعالى said:

وَأَن احْكُم بَيْنَهُم بِمَاۤ أَنزَلَ اللهُ وَلاَ تَتَبَعُ أَهْوَاءهُمْ وَاحْدُرْهُمْ أَن يَقْتِلُوكَ عَن بَعْض مَا أَنزَلَ اللهُ إلنَّكَ فَإِن تَوَلُّوا ۚ فَاعْلُمْ أَنَمَا يُرِيدُ اللهُ أَن يُصِيبَهُم بِمَا أَنزَلَ اللهُ إِنْكَ فَإِن تَوَلُّوا ۚ فَاعْلُمْ أَنَمَا يُرِيدُ اللهُ أَن يُصِيبَهُم بِمَا النَّاسِ لَفَاسِقُونَ

"And judge (O Muhammad [saw]) between them by that which Allah has revealed and follow not their vain desires, and beware of them lest they turn you far away from some of that which Allah has sent down to you. And if they turn away, then know that Allah's Will is to punish them for some sins of theirs. And truly, most of men are Fasiqoon (rebellious and disobedient to Allah" [Translated Meaning Quran 5:49]

In short, if they allow such a prostration they have contradicted the text. If they forbid it following the text, which has abrogated it - they have refuted their view, which allows participation in *kufr* rule. This is because the abrogation is acted upon in all the cases in which it occurs, without priority for one case of abrogation over another. If they forbid prostration but allow participation in *kufr*, then there is no fixed measure over this action other than the following of one's whims and desire, which is *Haraam*.

All this applies if we accept that Yusuf عليه السلام actually participated in *kufr* rule. The texts of the noble Qur'an which relate the story of Yusuf عليه السلام are irrefutable proofs, which give reply to those who invent and charge Yusuf عليه السلام with ruling by *kufr*. He is the one about whom His Lord said:

إِنَّهُ مِنْ عِنَادِنَا الْمُخْلِصِينَ

"Surely he was one of Our chosen, guided slaves." [Translated Meaning Ouran 12:24]

He عليه السلام had supplicated to his Lord to admit him into prison so that he does not fall into *Haraam*. He said:

"O my Lord! Prison is more to my liking than that to which they invite me. Unless You turn away their plot from me, I will feel inclined towards them and be one (of those who commit sin and deserve blame or those who do deeds) of the ignorant." [Translated Meaning Quran 12:33]

And whilst in prison, he carried the *Da'wah* and explained the obligation of referring to the *Sharee'ah* of Allah for judgement:

يَا صَاحِبَي السِّجْنِ أَأْرْبَابٌ مُتَقَرِّقُونَ خَيْرٌ أَمِ اللهُ الْوَاحِدُ القَّهَّارُ مَا تَعْبُدُونَ مِن دُونِهِ إِلاَّ أَسْمَاء سَمَيَّتُمُو هَا أَنتُمْ وَٱبَاؤُكُم مَّا أَنزَلَ اللهُ بِهَا مِن سُلُطانِ إِن الْحُكُمُ إِلاَّ لِلهِ أَمَرَ أَلاَّ تَعْبُدُوا إِلاَّ إِيَّاهُ ذَلِكَ الدِّينُ الْقَيِّمُ وَلَـكِنَّ أَكْثَرَ النَّاسِ لا يَعْلَمُونَ

"O two companions of the prison. Are many different lords (gods) better or Allah, the

One, the Irresistible? You do not worship besides Him but only names, which you have named (forged), you and your fathers, for which Allah has sent down no authority. The command (or judgment) is for none but Allah. He has commanded that you worship none but Him, that is the (true) straight religion, but most men know not." [TMQ 12:39-40]

Then some Muslims searched for a justification to participate in the *kufr* systems and they made Yusuf عليه السلام one of those who rule by other than what Allah سبحانه وتعالى has revealed. They say things about this chaste and pure Prophet that will make the earth shake and the mountains fall into ruin.

Second: Benefit (maslahah) - What is meant by benefit by those who advocate its use is 'something the Legislator has not given a *hukm* to realize, or *Shar'i* evidence to acknowledge it or reject it'. Some of them defined it as 'a description of an action through which one attains good i.e. a benefit, which is either permanent or general, for the masses or individuals'.

The advocates of participation in the political life of the West say that their deduction (*istidlaal*) is based on benefit for the Muslims and on 'outweighing the best of two good actions and two evils, acquiring the greatest of the two interests by rejecting the least important of the two, and repulsing the worst of the two evils by accepting the least of the two evils'. The fallacy of this view is clear due to the following points:

1. Defining the benefit or evil is the right of Allah the Lord of the Worlds. Whatever the *Sharee'ah* has requested is a benefit and interest. And whatever the *Sharee'ah* has forbidden is an evil (*mafsadah*). This is what is meant by the saying of Allah سبحانه وتعالى

"Fighting (Jihad) is ordained for you (Muslims) though you dislike it, and it may be that you dislike a thing, which is good for you. And it may be you like something, which is bad for you. Allah knows but you do not know." [Translated Meaning Quran 2:216]

Allah forbids that our benefit should be in that which has been forbidden to us. And Allah forbids, that we should claim there is a benefit in that which has been forbidden to us.

Moreover, who is going to define the interest, which some people claim? While the disputes between Muslims are open for all to see. One look at the reality shows us the struggle over running the *Masaajid* and the desire to have control over them and their finances. This is something very few *Masaajid* in the West are free of, and everyone is aware of this fact. So after that, how can we speak of benefit, and who defines the benefit? For example, has there been any election in which the Muslims did not disagree, such as the recent presidential elections in France, where some Muslims thought the greatest benefit to them lay with Chirac, whilst others thought it lay with Jospin; and others might simply wanted to exclude Le Pen.

2. The condition of benefit for those who advocate this is that the benefit must be real and not based on whim. The benefits, which those Muslims claim and wish to realize through participation in *kufr* rule are mostly fantasy and not real. Rather there is no real benefit

except that which is achieved by the West.

We have a lesson to learn from the example of George W Bush who won the American presidential elections with the votes of Muslims. A large number of Muslims thought that this man would achieve an Islamic interest by allowing them to build institutions and help them improve their image, and win support for many issues such as Palestine. No sooner was he elected and assumed the power; he began to light the fire of a new crusader war and began to kill, banish and expel Muslims around the world under the pretext of terrorism.

Thus, the tangible and perceptible reality shows us that the benefit of participating in the political life of the west is imaginary and not real. Rather they use our votes for their own benefit. They do not change their benefit driven policies and nor do they abandon their vital interests because we have participated with them in *kufr* rule or that we have elected them. The first one who raised and used, in an international political gathering, the slogan of 'Islam is the alternative enemy' on the western political level, in the 'the club of international security affairs' in Munich 1991 was the then American defence secretary – later Vice-President – Dick Cheney - whom Muslims voted for together with Bush Jnr. Let as look at the continuity of their positions and let us examine the steadfastness of the West in holding on to their views and interests. And let us reflect a little. Has our participation in the political life brought us any benefits? And is the benefit, which we claim and work for real, or a fantasy?

- 3. It is argued that the benefit which they discuss and adduce as proof is something which the Legislator has not given a *Hukm* for its realization and nor has the *Sharee'ah* evidence indicated its acknowledgement or rejection. But the issue of participation in *kufr* rule is from the benefits which the definite evidences have testified to their rejection and invalidation. We have quoted some of their evidences in the beginning of this booklet. So how can benefit be adduced as proof when the *Sharee'ah* has cancelled and prohibited it?
- 4. The principle adopted by those whom argue this way of 'outweighing the best of two good actions and two evils, acquiring the greatest of the two interests by ignoring the least important of the two, and repulsing the worst of the two evils by accepting the least of the two' applies to the Muslim who has no other option. For example if one had to save a woman from death while her 'awrah had become exposed a man who found her in this situation would be compelled to help her and should do so even if he has to look at her 'awrah. But regarding that which can be avoided, it is not allowed to use such principles. Participating in *kufr* systems is something, which can be avoided. Moreover, what defines the best of two good actions and two evil, is the *Sharee'ah* and not the mind. Since the Muslims gave their human minds the right to define and outweigh, which the mind is not able to do, due to the disparity in minds and views, they elected George W Bush and rejected Al Gore on the basis of this principle. What was the result? Did they prevent the worst of the two evils or did they bring it about?

Furthermore, after *shirk* there is no evil in Allah's *Deen* worse than ruling by other than what Allah has revealed. In fact they are two sides of the same coin. Allah سبحانه وتعالى has ordered us to give our lives willingly in the path of bringing people under the rules of Islam, when He سبحانه وتعالى ordered us to fight *Jihad*. He also ordered us to give our lives in protecting the application of the rules of Islam, when He ordered us to rebel against the

Imam in the Islamic state in a situation where he applied the clear rules of *kufr* for which we have a proof from Allah. So how can Muslims be demanded to prefer some temporary worldly benefit in Western countries over the great benefit of the *Deen*, in restricting the ruling according to what Allah has revealed? It is agreed among the people of knowledge that protection of the *Deen* takes precedence over the rest of the *Sharee'ah* aims, such as protection of life and lineage. What we need to draw attention to is that 'The *Ulema'* are agreed on prohibiting a Muslim and his dependants from residing in *dar al-kufr* if he fears harm to his and their *Deen*, or if he fears that they will be forced to commit *Haraam*. In such a case he is obliged to make *Hijrah* to a country where he can practice his *Deen* and refrain from *Haram*, however much this may cost him financially, even if it means he has to lose all his possessions. For every sin at the expense of the *Deen* is great.

He سبحانه وتعالى said:

إِنَّ الَّذِينَ تَوَقَّاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةَ قَتُهَاجِرُوا فِيهَا فَأُولَـ لِكَ مَا اللَّهِ عَلَيْهِ اللَّهِ عَلَيْهِ اللَّهِ وَاسِعَةً قَتُهَاجِرُوا فِيهَا فَأُولُـ لِكَ مَا اللَّهِ عَلَيْهِ اللَّهِ عَلَيْهِ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولُـ لِكَ

"Verily! As for those whom the angels take (in death) while they are wronging themselves (as they stayed among the disbelievers even though emigration was obligatory for them) they (angels) say (to them): In what condition were you? They reply: We were weak and oppressed on earth. They (angels) say: 'Was not the earth of Allah spacious enough for you to emigrate therein?' Such men will find their abode in Hell - what an evil destination!" [Translated Meaning Quran 4:97]

So how could Muslims ask themselves to work with every effort to undertake the *haram* action of participating in the political life under the pretext of their residence in the western lands?

Third: The concept of *Dar* (homeland)

Dar al-Islam is the land in which the rules of Islam are applied and its security is through the security of Islam. Dar al-kufr is the land in which the systems of kufr are applied or where its security is not through the security of Islam.

In our age, some people think the concept of Dar is subject to change according to the change of time and place. They argue that 'the sons of Muslim minorities should not restrict themselves to *fiqhi* historical definitions which are not mentioned in the *Wahy* such as 'dar al-Islam' and 'dar al-kufr'. They should proceed from the Qur'anic viewpoint that:

"Verily, the earth is Allah's. He gives it as a heritage to whom He will of His slaves, and the (blessed) end is for the Muttagoon (pious)." [Translated Meaning Quran 7:128]

Based on this understanding, they allowed the Muslim to live in the Western countries as his homeland and country in which he should participate in its building and development. They allowed him to participate in different aspects of political and social life without any feeling of sin.

The truth is that the advocates of this view are confusing two matters:

1. Confusion between an opinion and the Sharee'ah opinion.

Those who call for participation in the political life of the West deliberately try to give the impression that the definition of *Dar* is a personal opinion. They argue 'it is the definition of *Ulema*' which has not been mentioned in the *Wahy*.'

Such statements are dangerous because they assume that the great and distinguished 'classical' scholars like Abu Hanifah, ash-Shafi'i, Abu Yusuf, Ibn al-Qasim, al-Muzani and others had invented the definition without a precedent. They hide the fact that *Sharee'ah* definitions, such as hiring (*ijaarah*), booty (*ghaneemah*) etc, are *Sharee'ah* rules, because they are deduced from the *Sharee'ah daleel*.

The definition of the *Dar* (homeland) is taken from a number of *Sharee'ah* texts; for example, it is taken from the saying of the Messenger also is "Then ask them to move from their land to the land of the Muhajireen, and inform them that if they did so they would enjoy the same rights as the Muhajireen and would be subject to the same duties."- [al-Nawawi, *Sharh Sahih Muslim*, hadith:1731 with its various chains, pp.1336-1337]. Thus, the discussion of the definition is a discussion of the evidences that have indicated it. To bring a definition that goes against the first definition can be done by bringing evidences that are contrary to it. This is what those who reject the definition of the *Dar* failed to do.

Moreover, it is agreed that the consideration is for the meaning and 'there is no dispute regarding the definitions as long as they don't contradict the *Sharee'ah*.' Thus, the consideration is for the meaning of the definition of *Dar* and not the expressions. The one who scrutinizes the *Sharee'ah* texts will find that the *Sharee'ah* has distinguished between a land, which is ruled by Islam, and the Muslims protect it, and a land which is not ruled by Islam and its security is in the hands of its non Muslim population. The only way we can interpret this rejection of the definition is that they reject its meaning so as to facilitate the call for integration and allow participation in ruling, parliaments etc - and these are invalid actions.

2. Confusion between the concept of land and Dar.

Any Muslim who believes in the Creator of the heavens and the earth does not dispute the fact that the land belongs to Allah. This issue is separate from the study of a land in which Islam is implemented, a land that is ruled by its system and is safe due to its security. If we were to proceed from the standpoint of those people, and thought according to their logic, then we would allow the Jews to remain in Palestine, because the land belongs to Allah. So they will have the right to live there, participate in ruling and remain as an entity. Then we would have invalidated the concept of *Da'wah* and the dissemination of Islam.

Of course the land belongs to Allah, but it is divided into a land in which the rule of Allah exists and another land where there is the rule of *Taghut*. Allah سبحانه وتعالى has ordered the establishment of His rule on His land and its purification from *Kufr* and shirk.

He سبحانه وتعالى said:

"They are those who, if we establish them in the land, establish regular prayers and give Zakat, enjoin the right and forbid the wrong." [Translated Meaning Quran 22: 41]

aid: سبحانه وتعالى And He

وَلَقَدْ كَتَبْنَا فِي الزَّبُورِ مِن بَعْدِ الدِّكْرِ أَنَّ الْأَرْضَ يَرِثُهَا عِبَادِيَ الصَّالِحُونَ

إِنَّ فِي هَذَا لَبَلَّاغًا لِّقُوْمٍ عَابِدِينَ

"And indeed We have written in Zabur (psalms) after (We have already written in al-Lawh al-Mahfuz), that My righteous slaves shall inherit the land. Verily, in this (the Qur'an) there is a plain Message for people who worship Allah." [Translated Meaning Quran 21:105-106]

In origin it is not allowed for *kufr* to rule over the land of Allah سبحانه وتعالى because the sovereignty belongs to Him. It is also not allowed for any word to be legally valid in His Kingdom (land) except His Word. That is why Allah has legislated Jihad to make His word the highest on His land, and to reclaim His rule from those *kuffar* who transgressed over His sovereignty and limits. He سبحانه وتعالى made those who are killed in this path as martyrs (*shuhadaa*) and they have the highest rank in the sight of Allah. The origin therefore is the supremacy of the Islamic rule over the whole earth, not the acceptance of *kufr* rule and subjection to it, due to the love for this life and its fleeting enjoyment, hatred for death and aversion to what Allah has promised His believing servants, in terms of the continuous bliss in the abode of *Akhirah*.

The *Halal* is sufficient for us

The prohibition for Muslims from participating in the political life of Western countries does not mean they should cocoon themselves and not mix with the people of that country. Rather they should live with them a natural life, adhere to the rules of Islam, and be from those who affect others and not be affected, because we are the bearers of a universal Message and a civilization to which no other civilization can match.

The aim of participating in the political life of the West is to achieve a set of benefits and demands, such as:

- Supporting Muslims and their issues
- o Providing the best opportunities for Da'wah to Islam
- Enabling Muslim migrants to adhere to the Sharee'ah rules without difficulty or hindrance - such as in the rules of marriage, halal food, shar'i dress code for women and other such legitimate demands.

These things can be achieved by following the *Sharee'ah* path permitted by Islam without the need to commit *Haraam* or make recourse to the rule of necessity (*daruraat*) and attaining the benefits (*maSaaliH*) and repelling the evils (*mafaasid*), which permit the *Haraam*. Allah with has provided us of his *halal* that which suffices us from falling into His *haram*; and He allowed us alternatives and styles that suffice us to realise (our) demands.

The fact that we can present alternatives and draw attention to the possibility of utilizing certain practical styles, this is not an alternative for the Muslims to the only *Shar'i* radical solution which will realise their hopes, demands and solve their problems, which is the establishment of the *Khilafah* state. This is because the suffering of the Muslims in terms of the shame, humiliation and contempt shown to them, their weakness and the various ambitions their enemies have over them is due to the absence of the *Imam*, the *Ameer* who will look after their affairs and look into their conditions and help them when they are oppressed and protect them from any harm. It has been narrated on the authority of Abu Hurairah that the Prophet ملى الله عليه والله وسلم said: "*Indeed, the Imam is a shield, behind whom the Muslims fight and protect themselves.*" [Bukhari, *Sahih* #2975 and Muslim, *Sahih* #1841]

One look at the reality shows us the difference between a Muslim and others. The American for example is respected, venerable, given preference and priority wherever he is; when he speaks he is listened to, when he is absent he is missed. As for the Muslim, he is unimportant, his demands are dismissed; and when he is absent he is not missed. If he is killed, then it is done with impunity even though the Messenger alia even be said: "The destruction of the world is far less in the sight of Allah than the killing of a Muslim man." [Reported by Tirmizi on the Authority of 'Abd Allah b. Umar]

This is the difference between the Muslim and the American. The cause of the preference is clear as the sun, which is the standing of their State in the international arena. The American gains his prestige and respect from his State. The Muslims need to be aware of this reality and work with the sincere and aware ones to realise the radical solution and establish the Islamic state (in the Muslim world), through which Islam and its people will

become strong and *kufr* and its people will be humbled.

As for the alternatives and the styles that Muslims can undertake without falling into sin, they are many, for example:

1. Intellectual strength

What we mean by intellectual strength is the ability to address the minds and affect the emotions. Allah has honoured this Islamic Ummah with the 'Ageedah of Tawhid, which is the only 'Ageedah that can convince the mind and agrees with the Fitrah (nature). Part of the rules of this 'Ageedah is that it is not allowed to adopt the creed via imitation or blind acceptance; rather one should use his mind so that through scrutiny and thought one concludes that the Creator exists, and comprehends the correctness of the Prophethood of Muhammad صلى الله عليه وآله وسلم From this 'Ageedah a system emanates which encompasses all aspects of life. Due to this it is the only alternative to Western civilization in the world today. It is the one system which can save people from the misery and injustice that has resulted from the domination of the Western culture over the minds of people, their lives and destiny. We must present Islam as it should be presented and highlight its enlightened intellectual aspect and the correctness of its rules in managing the affairs of people. In so doing there is no doubt that this will affect the minds of many non-Muslims in the West, especially when the corruption of their thoughts becomes evident to them, and the emptiness of their societies is manifest and all can see their fast diminishing values and how they have stooped to the lows of corruptness, injustice and transgression.

This requires our thinkers who have mastered the language of the West to contact Western thinkers, intellectuals and politicians, so that the Islamic thought and solutions to problems faced by man are presented to them. And this should be done in an effective intellectual manner with a firm and composed style i.e. with wisdom (hikmah) and beautiful speech (maw'izah hasanah). If we are able to discuss with such people and affect them, whether by them embracing Islam or by gaining their respect and esteem, then we have created a suitable climate to present our demands and have won significant support for them.

The basis of Muslims is that they are the carriers of the Message (*risaalah*) of Islam wherever they are and in any place they reside, since Islam is a universal Message and since Allah has obliged them to carry this Message to the whole world: as a state, parties and individuals, so as to convey Islam to all of them. Wherever the Muslim lives he is obliged to invite the people to Islam and work to spread it according to his capability.

The Muslims who live in the West are obliged to carry Islam to the people of the West, whether now or after the establishment of the *Khilafah* state, where part of its duty after the application of Islam internally, is to carry Islam as a Message to the whole world. The establishment of the *Khilafah* is not a condition for the obligation of carrying Islam to them. In the past Muslim traders who used to do trade with the lands of Indonesia and Malaysia carried Islam to the people of those lands until they embraced Islam at their hands without being sent by the *Khilafah* state or from any party. This is because Islam is a *Deen* of *Fitrah* (i.e. it agrees with man's innate nature) and is close to people's emotions, and the mind can comprehend its greatness. It was easy at any time and place for non-Muslims to gain conviction and *Iman* in it.

2. Economic Strength.

Muslims may use their economic strength to affect political decision making in the West. This is because economic strength in the hands of the Muslims, and its use as a tool of persuasion and pressure, makes their voice heard and their word effective. This is especially true if we understand that Western governments depend on the support of the capitalists. We have seen some non-Muslims, who are few in number, able to put pressure on western governments to realize their demands and look after their affairs, due to their economic strength. The reality is that Muslims in Western countries have an economic strength, which the West cannot afford to overlook if the Muslims unite and speak with one voice. So how will it be when they add to this, by directing economic activity in a specific direction, in order to consolidate their impact? Then they may start to cooperate amongst themselves to become the influential power in economic life.

The economic presence of Muslims highlights the desire of Western banks to open the field for Muslims to undertake economic activity according to Islam by forming banks that 'comply' with the *Sharee'ah* rules in economic and financial matters. Although it is difficult for Muslims to undertake economic activity on a high level in Western countries without coming across something forbidden due to the control of the capitalist economic system, however their mutual support and cooperation is sufficient to remove many *Haraam* obstacles. In any case, economic activity in origin is not prohibited in Islam contrary to participating in the political life. The Muslims are able to enter a number of areas of economic activity whilst being very careful not to undertake any *Haraam* transactions such as *Riba* etc.

3. Media strength

The field of the media is very significant medium, which contributes to the formation of public opinion and the adoption of political decisions. It is especially important in Western countries, because decision makers frequently rely on it to justify their policies and convince the people. The reality is that most of the media in these countries are controlled by forces which compel it to lose its objectivity and impartiality. They have turned it into a tool in the hands of the capitalists; they control it and use it to achieve their interests. That is why it is rare to find a section of the media which possesses its own decision and will, in presenting something to the masses, that the people can trust and consider as a serious depiction and correct reporting of what is happening in the world.

The media also fights Islam in a manner obvious to all but a few. Hardly a day passes without something being shown on TV or heard on the radio which attacks Islam and distorts its thoughts and rules. An example of this is the print media; books, newspapers, magazines which never miss an opportunity to defame Islam and the Muslims. Rarely do you find a newspaper which treats Islam fairly or a program which is objective and impartial. It is no surprise then that those who run and control the media are those who hate Islam and show their animosity towards it.

Here lies the role of Muslims if they wish to achieve something that will serve the Muslims and serve their *Deen*. It is within their capability to build an audio, visual and

print media whose mainstay will be serious news material and trustworthy reports and will include an explanation of the reality of Islam in terms of its 'Aqeedah and system, such that its truths are highlighted, using styles which are suited to the nature of westerners and their styles of speech and writing. If we look at the state of Muslims today in this field, we notice a big deficiency.

Most of what the Muslims produce lacks quality, and many a time they flatter the westerners, interpret Islam in a way that agrees with the western thought, thinking that if they do this then Islam will gain greater acceptability in western societies. Let alone the fact that the published material is, in no way, proportionate to the number of Muslims living in the western lands or to their capabilities. Nor is it consistent with the universality of their ideology, which urges them to convey it wherever they reside. Moreover, the amount of the audio-visual media that Muslims control is almost non-existent.

4. Strength of human resources

The Muslims number millions in Western countries. This fact alone can turn them into a formidable force due to their prominence in society and also because they will have in future a significance, the West builds its plans on this basis. So the Muslims need to fully exploit this opportunity and realize how much the West needs them. In an article published by the International Courier magazine (issue num: 606) the following was mentioned: "As long as there is poverty there will be migration. This is good news, because the old continent – Europe – needs manual labour. However, what is necessary is the political courage to recognize that."

The truth of the matter is that the West needs human resources from the Muslims more than these human resources need from the West. Had the West been able to organize its affairs without relying on Muslims then it would have expelled them and revealed with all arrogance the hatred which it conceals for the Muslims. For example, the Muslims doctors strike in France was sufficient – which is well known amongst doctors circles there – to bring down the government.

This Muslim human resource in the West consists of different and diverse sectors of people in all fields. Among them there are doctors and engineers in all types of engineering. They also include specialists in all sciences and other fields, as well as the average people from the manual workers and the crafts.

This diversity amongst the Muslims will give them enormous power and enable them to achieve many demands exceeding what they have today in terms of halal meat and the permission to wear the Islamic dress code for their wives and daughters. They will become an instrument of pressure on western states in supporting the issues of the *Ummah* and carrying the *Da'wah* to this wasteland devoid of guidance.

These are just some of the alternatives the Muslims can turn their attention to instead of participating in ruling and other prohibited actions. If non-Muslims, despite being few in number, have succeeded in seizing control of certain areas and fields and are sometimes able to put pressure on governments and influence them in the affairs that concern them,

then why should the Muslims fail in this when they lack neither the potential or abilities?

Finally, we would like to say the following: supporting the truth and the *Deen* and the repelling of oppression and injustice can only take place according to the *Sharee'ah* rule and by holding onto the straight path and obedience to Allah. It is wrong to think that victory and success can come by committing *Haraam*. He will will be said:

"So stand (ask Allah to make) you (Muhammad [saw]) firm and straight (on the Deen) as you are commanded and those who turn in repentance (unto Allah) with you, and transgress not (Allah's limits). Verily, He is All-Seer of what you do." [Translated Meaning Quran 11:112]