

ISB Campus
Monthly Development
Circle

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Why We Must Vote

Dr Rizwan Syed



Is voting halal?

Is it rewarded ?

Is voting really an obligation ?

So why do some say it's haram?

What if some policies are unislamic?

But an unislamic personal life?

Do scholars support voting?

Halal or Haram ? Voting: to change evils with your hand -



Most things in life are allowed because the world is for us to make use of.

'He has subjected to you, from Himself, all that is in the heavens and all that is on the earth....'
(45:13)

How can all this be made for us and then we be prohibited from it?

Is voting halal?

Is voting halal?

'Istishab' is a source of Islamic law – which means **'assumption of continuity'**

That humans had ways of living and getting on before revelation, guided by their fitrah, and that is respected and assumed to be valid **unless** there is something offensive to human nature, which is when revelation intervenes with corrections

Actually the wrong question!

'Istishab' - we all have fitrah!

'human life continues, unless revelation needs to get involved'

5 maxims: "Al 'aadah muhakkamah"

Culture shall have the weight of law

There are five overarching maxims in Islamic law, agreed by all four Sunni schools of law,

They help guide scholars and sense check rulings. As such they are useful rules for Muslims to bear in mind too.

This one reminds us that people have ways of doing things that make sense in their culture and all of this is allowed **unless there is a good reason for religion to intervene.**

Islam allowed and endorsed much of Arabian culture, but only corrected specific things, idolatory being foremost amongst them



Is
voting
halal?

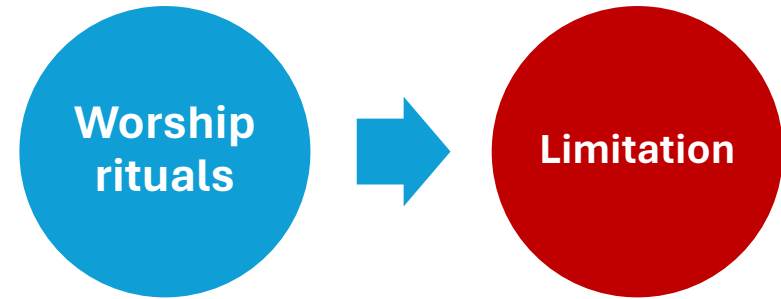
The Prophet (SAWS) said:

“What Allah has made lawful in His Book is halal and what He has forbidden is haram, **and that concerning which He is silent is allowed as his favour.** So accept from Allah His favour, for Allah is not forgetful of anything. He then recited, ‘And thy Lord is not forgetful’ (19:64).”

(Hakim, Sahih)

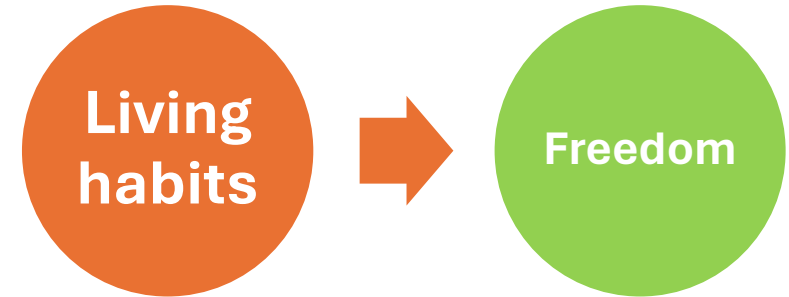
“This is why Imam Ahmed bin Hanbal said:

‘In relation to acts of worship, the principle is **limitation** (tawqeef); that is to say, nothing can be legislated in this regard except what Allah Himself has legislated...



i.e. in all mundane matters, how people live, eat, entertain themselves, manage their communities, sort problems out amongst each other, Islam offers people freedom. All is okay unless there is something specifically, clearly revealed to prohibit it

But as far as **living habits** are concerned **the principle is freedom** because nothing can be restricted in this regard except what Allah Himself has prohibited.



...Here, to do otherwise is to be included in His saying, **“Say: do you see what Allah has sent down for sustenance? Yet you have made some part of it halal and some part haram. (10:59)”**

Is voting halal?

Is voting
rewarded
?

How many of these deeds are also performed by governments, and on a much grander scale?

e.g. would you not want to share in the rewards for all the road sweepers in the country by electing those that oversee and manage these services?

“Every joint of a person must do a charity every day that the sun rises.

Acting justly between two people is a charity,
assisting a man onto his mount, or hoisting his belongings onto it is a charity,
a **good word** is a charity,
every step you take to perform the prayer is a charity, and
removing harmful objects from the roadway is a charity.”

(Sahih al-Bukhari and Muslim)

So, unless forbidden, everything is allowed, called *mubah*.

However, to gain reward in the hereafter, there should be an evidence recommending the action in some way

And as people longing for paradise, we should fill our lives with good deeds, rewardable deeds, which can be considered *'ibadah*

Is voting rewarded ?

“God commands **justice, doing good**, and generosity towards relatives and He forbids **shamelessness, what is counter to reason**, and **oppression**. He teaches you, so that you may take heed” (Qur'an 16:90)

“O you who believe! **Stand out firmly for justice, as witnesses to Allah**, even if it be against yourselves, your parents, and your relatives, or whether it is against the rich or the poor...” (Quran 4:135)

This is an instruction for us, showing the beauty of basically what Islam is about

But governments can impose justice and save lives, or kill and oppress on an industrial scale

If we can influence that, we get a share of that good - or reward for preventing their harm

And remember justice is protecting the rights of people. **By voting we can play our part in physically bringing about the 'common good'**.

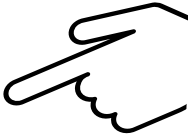
Is voting
rewarded
?

**“And those who respond to their Lord,
and pray regularly, and conduct their
affairs by mutual consultation, and give
of what We have provided them”**

(Quran 42: 38)

**“...And consult them in affairs (of
moment). Then, when thou hast Taken a
decision put thy trust in Allah. For Allah
loves those who put their trust (in Him).”**

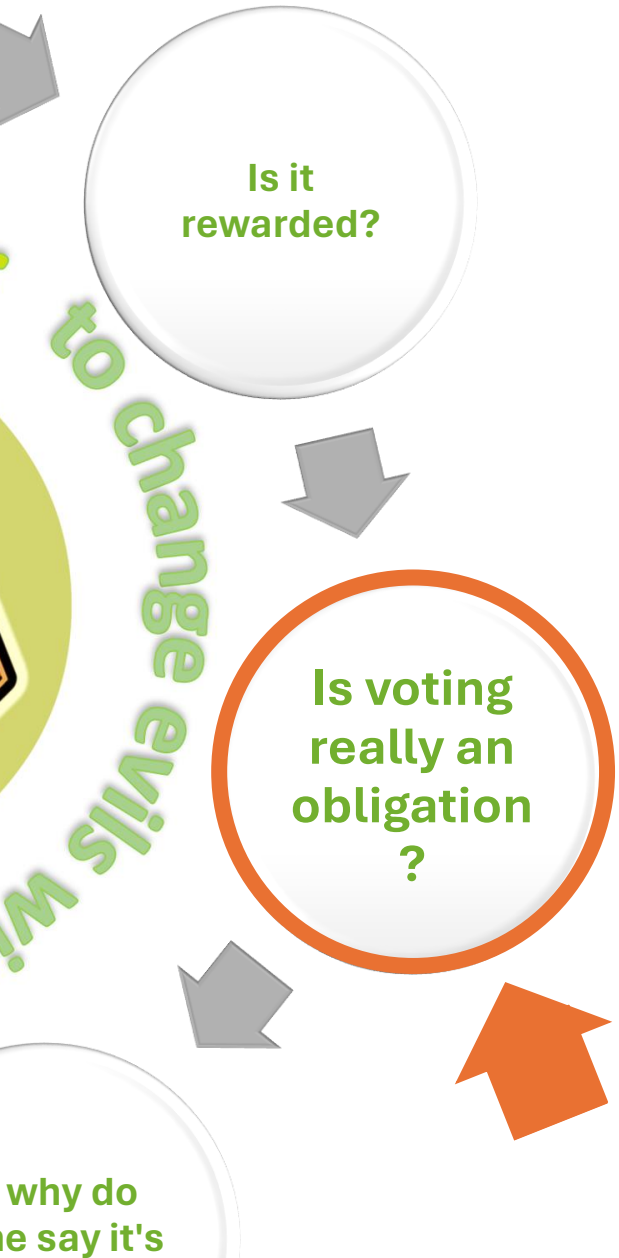
(Quran 3:159)



The consultative
process is
recommended in
the Qur'an, and
therefore,
rewarded.



Voting is one,
practical form of
consultation, where
we offer our opinion
on the next
government and on
our local
representatives.



We should avoid saying **Haram** or **Fard** - it is the right of Allah

But it **is** a duty, **highly recommended** by scholars...

Islam was never a religion that allowed its followers to remain stagnant, to hold onto the status quo. We are duty-bound, as Muslims, to do our best to improve ourselves and society...

Is voting
really an
obligation
?

كُنْتُمْ خَيْرَ أُمَّةٍ أُخْرِجَتْ لِلنَّاسِ تَأْمُرُونَ بِالْمَعْرُوفِ
وَتَنْهَوْنَ عَنِ الْمُنْكَرِ وَتُؤْمِنُونَ بِاللَّهِ وَلَوْ

The Qur'an chooses 'munkar' rather than 'shar' which is literally 'evil' because munkar means **rejected**, i.e. what everyone knows as **harmful and wrong** – not just what one religious community sees as such.

"You are the **best of nations** raised up **for mankind** because you **enjoin the good**

(Amr b-il ma'ruf)

prevent wrongs

(Nahiya 'an-il munkar)

whilst you **believe in God.**"

(Qur'an Surah Al-Imran, 3:110)

As opposed to 'good' and 'evil' which imply a divine definition, **Ma'ruf** and **munkar**, just by their definition, draw in the public to describe them.

'Widely recognised as good'
= A law which makes sense
As opposed to something which is *munkar* – 'rejected' by the public
Perhaps we could translate ma'ruf as the 'common good'

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Is it
rewarded?

Is voting
really an
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?

This *defines* Muslims, so **should be a part of who we are!**

Some say *fard kifayah* (community responsibility), but with voting you can't
hand over responsibility to others.

to change evils w!

why do
e say it's

Is it
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Is voting
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?

"...the Prophet never ceased to identify as a member of his society and to seek to enhance and preserve Arabia's common good.

❖ This is clearly captured in the Qur'ān's repeated command to the Muslims to act in accordance with what it terms "al-ma'rūf," which literally means

❖ "that which is known by convention to be good, wholesome, and sound."

American
Muslim Scholar
Prof. Sherman
Jackson

why do
e say it's

to change evils w!



Your vote could help with the following *ma'ruf* deeds:

- social justice, protecting human rights
- the rights of the oppressed
- welfare for the poor
- providing health for everyone
- education for everyone
- supporting job creation
- ensuring there is law and order

**These are 'good' on a grand scale
- make a huge impact on the quality of peoples' lives**

Is voting
really an
obligation
?

“The only thing necessary for the triumph of evil is for good men to do nothing”

One of 5 universal maxims: ‘Al Dararu yuzal’
- ‘**harm must be prevented**’

Mufti Muhammad ibn Adam al-Kawthari, a mainstream British scholar, quotes the following hadith **in the context of voting:**

The Messenger of Allah (SAWS) 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.**”*

(Tirmidhi & Abu Dawud)

Regarding voting, perhaps even more important than all the good you can contribute to, is that **you could be helping to prevent harm by voting out or restricting the influence of a harmful party**, e.g. one that would want to go to war or support wars overseas, or one that increases hatred between communities.

If you had the chance to stop this harm, this evil, and you sat back and let it happen (by not voting) what excuse will you have in the Day of Judgement?



Is voting
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Because governments can do good and evil on an industrial scale, if we have the choice of deciding the next government, you can see why many scholars would argue that exercising that vote is something close to an obligation.

So why
do some
say it's
haram?

This is because of the idea that you are responsible for bringing the government into power - and so responsible for the 'unislam' (kufr) that they implement

"Whosoever does not rule by what Allah has revealed such are the disbelievers (kafiroon)..." (Qur'an 4:44)

"And whoever does not judge by what Allah has revealed - then it is those who are the unjust." (Qur'an 5:45)

In fiqh, to be able to prohibit something, the evidence must be totally authentic (*qat'i fi al thuboot*) and totally clear in proof of argument (*qat'i fi al dalalah*) – i.e. very specific to the issue and not open to alternative interpretations

Here, the verses might be argued to be specific but with the assumption of a Muslim majority context, where the application of revelation is possible, and then is not applied

Also, what does "what Allah has revealed" mean? Is it the Qur'an and sunnah, or previous revelations or actions guided by our good instincts (fitrah) which align with revelation?



So why
do some
say it's
haram?

“And whoever does not judge
by what Allah has revealed -
then it is those who are the
unjust.” (Qur’an 5:45)

“And We ordained for them therein a life for a life, an eye for an eye, a nose for a nose, an ear for an ear, a tooth for a tooth, and for wounds is legal retribution. But whoever gives [up his right as] charity, it is an expiation for him. **And whoever does not judge by what Allah has revealed - then it is those who are the unjust.**” (Qur’an 5:45)



Previous verse, (5:44) beginning, “Indeed, We sent down the **Torah**, in which is guidance and light.”



So this verse that is used sometimes, turns out to not even be referring to the Qur’an, but rather the **Torah**

So we can see that the general idea is that **we should look for our governments to be applying things that are in line with past or present teachings**, as long as they align with the Qur’an.

So why
do some
say it's
haram?

*“We sent Our Messengers with clear signs
and sent down with them the Book and the
Measure in order to establish justice among
the people...”*

(Qur'an 57:25)

**Islamic teachings are not
exclusive to the Qur'an**, and
justice is not exclusive to the
Qur'an. So, if governing in line with
Islamic values, you would **not** fall
into the category of, “those who
are the unjust”

**People are born with a moral
compass, fitrah, and revelation
comes to bring people back to that**

All societies are governed by the values
of **previous revelations** as well as what
people **innately know as good**



**So why
do some
say it's
haram?**

Imam Ibn Al Qayyim:

“That Allah has sent His messengers and revealed His books so that people may establish justice, a justice upon which the heavens and the earth stand.

And when the signs of justice appear, or its face is unveiled in any manner, then that is what is intended by the shari’ah and the deen of Allah.”

(Al-turuq al-hikmiyyah fi al-siyasat al-shar’iyah)

Ibn Al Qayyim defines an administrative policy that is in line with the Shari’ah (al Siyasaḥ al Shari'ah) as:

"The actions which bring the people closer to good and distance them from evil, even if such actions were not advocated by the Prophet (SAW) or revealed from the heavens."

(Al-turuq al-hikmiyyah fi al-siyasat al-shar’iyah)



*What if I vote for a party that espouses
some values that are against Islamic
teachings?*

Am I not then sharing in the sin of that?

...

The Complexity of Politics

What if
some
policies are
unislamic?

personal life?

— your hand

Scholars explain that the objective of shari'ah is:
**the pursuit of public benefit
and removal of public harm**
(jalb al masalih wa dar'a al mafasid)

e.g. one of the five universal fiqh maxims
harm must be removed

Derived maxims/ principles:

- **A greater harm is eliminated by means of a lesser harm**
- When forced to choose between evil alternatives, the lesser evil must be sought

This is politics!

personal life?

What if
some
policies are
unislamic?

— your hand —

Imam Ibn Taymiyyah, in Al Hisba fi Al Islam brings together these principles for public policies:

- a) It is not permissible to command or forbid a course of action without thorough investigation
- b) If the right is preponderant it should be commanded, even if it entails a lesser wrong
- c) If the wrong is predominant, it should be forbidden, even if it entails the loss of a lesser right
- d) A wrong should not be forbidden if doing so entails the loss of a greater right
- e) If the right and wrong are equally balanced and inseparable, it is neither to be commanded nor forbidden

What if some policies are unislamic?

So, at the level of government, tough decisions need to be made. Making one group happy may displease or harm another. Taking taxes harms the rich, but **there is overall benefit for the majority**

Putting more money in education means less money left for health

So, in public policy, the overall benefit has to be pursued, even if some harm and even evil has to be endured

So, in line with this principle:
**the pursuit of public benefit
and removal of public harm**
(jalb al masalih wa dar'a al mafasid)

We need a party that overall:

1. Is most supportive to the poor and oppressed
2. Improves the lives of most people, reduce inequality
3. Creates most peace and stability in society
4. Is supportive of the Muslim community and minorities in view of their powerlessness
5. Promotes understanding and respect between cultures
6. Ethical foreign policy that prioritises de-escalation of conflicts
7. Does most for global peace and stand up for the oppressed across the world

personal life?

What if
some
policies are
unislamic?

— your hand —

BUT SURELY
POLITICS IS DIRTY
BUSINESS –
MUSLIMS SHOULD
JUST STAY AWAY!

What if
some
policies are
unislamic?

The Messenger of Allah (PBUH) said,

“The believer who mixes with people and is patient with their harm has a greater reward than the believer who does not mix with people, nor is patient with their harm.”

(Sunan Ibn Mājah 4032, Sahih (authentic) according to Al-Albani)

Negus of Abyssinia made a calculus that he would continue ruling as a Christian with Christian worship for the greater good even though in his heart he believed in Islam

Prophet: *"If you were to go to Abyssinia (it would be better for you), for the king will not tolerate injustice and it is a friendly country, until such time as Allah shall relieve you from your distress."*
(Ibn Ishaq)

Joseph proposed, ***"Put me in charge of the store-houses of the land, for I am truly reliable and adept."*** (Qur'an 12:55)

Yusuf (AS) put himself forward to serve in an **unislamic government because he knew this was the best way to benefit millions of people**

Our vote could affect millions

He was accepted as a Muslim even though he remained openly Christian.
When he passed away, the Prophet was informed by Jibreel, and Muslim prayers were offered for him:

Abu Huraira reported: 'The Messenger of Allah, peace and blessings be upon him, told us about the Negus, the ruler of Abyssinia, on the day he died. The Prophet said to us, "Seek forgiveness for your brother."'

(Ṣaḥīḥ al-Bukhārī & Muslim)

What if some policies are unislamic?

Nothing is wasteful in the Qur'an.

So, whenever someone is quoted in the Qur'an and they are not contradicted, that's to be taken as an advice for us.

Tactical voting

What if
some
policies are
unislamic?

Islamic principle of maximising benefit and minimising harm

If we know the best party will not get voted in,

it is also worth considering **tactical voting** to create **a strong parliament,**

with **more MPs that can challenge a government** and make it difficult for them to pass through damaging legislation

(‘staying the hand of the oppressor’).

The principle of greater benefit also applies to choosing who to vote for, because you will *never* find an ideal candidate, who will implement only good and 'Islamic' teachings. This point is made by Mufti Muhammad ibn Adam al-Kawthari:

“...In a situation where there is no worthy candidate... then the vote should be given to the one who is the better and more trustworthy 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.”

But an unislamic personal life?

Do scholars support voting?



Mufti Muhammad ibn Adam al-Kawthari

Shaykh Ahmad Kutty

Shaykh Taha Jabir al-Alwani

Shaykh Ibrahim Mogra

Shaykh Haitham Al-Haddad

Shaykh Suhaib Hasan

Dr. Musharraf Hussain

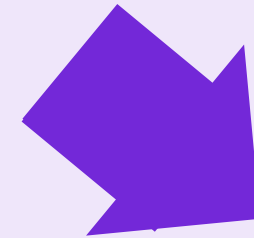
Shaykh Muhammad Al-Mukhtar Al-Shinqiti

Imam Omar Suleiman

Shaykh Abdullah Bin Bayyah

Dr. Jamal Badawi

Maulana Khalilul Rahman Sajjad Nomani Nadwi



Do scholars support voting?

Is voting halal?

But an unislamic personal

The fatwas of these learned, mainstream western scholars are available in the full notes. Overall, these are the points they make:

- ✓ Voting empowers Muslims when they are otherwise weak
- ✓ In support of the needs of the Muslim community
- ✓ And Muslims across the globe
- ✓ Just as important, some scholars stress our obligation to prevent harm and bring good in our society
- ✓ They recognise that, there is usually no ideal candidate but Muslims should vote using the principles of averting overall harm and bringing overall benefit



**Do
scholars
support
voting?**

“it is... a greater evil not to be participating at all and to simply be disengaged from the process...”

[Shaykh Abdullah Bin Bayyah]



“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]

**Do
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