

Confusion about Voting?

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فَمَنْ كَانَ يَرْجُوا لِقَاءَ رَبِّهِ فَلْيَعْمَلْ عَمَلًا صَالِحًا وَلَا يُشْرِكْ بِعِبَادَةِ رَبِّهِ أَحَدًا

**"So whoever hopes for the Meeting with his Lord,
let him work righteousness and associate none
as a partner in the worship of his Lord."**

The Noble Qur.aan - Soorah al-Kahf, Aayah 110

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بِسْمِ الرَّحْمَنِ الرَّحِيمِ

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In this specific case therefore, is it permissible to vote for the candidate who Muslims believe carries the lesser harm or not? This is the issue that was being addressed at Madeenah.

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All praise is due to Allaah (alone), the Lord of the worlds, and may the salaah and salutations be upon the final Messenger sent to the Jinn and Mankind, Muhammad, his family and all of his noble companions.

To proceed...

Since the recent publication of the speech of our Noble Scholars regarding the issue of **voting for the lesser of two harms**, we have received numerous enquiries seeking clarity in regards to what we have published on Madeenah.Com and the confusion that arose due to what some of our brothers have published regarding a similar topic.

In light of this, we would like to inform the reader that what follows of our words is not designed to promote either of the two or more opinions regarding **voting for the lesser of two harms**, nor should they serve to persuade the reader as to which of them is the preponderant (Raajih) opinion as it is only the Scholars who have the authority to do so regarding such great matters.

Hence, we will restrict this advice to the following points while firstly asking Allaah 'Azza wa Jall for Ikhlaas and accuracy in statement and action and imploring Him for His Tawfeeq:

Firstly, the verdicts that were translated on Madeenah.Com regarding voting only address a specific situation and this was clearly stated. This is the situation whereby the Muslims who are governed by non-Muslims find themselves in a position where a number of candidates are standing for election, and one of them is to be elected to rule over them whether they approve, vote or not.

In this specific case therefore, is it permissible to vote for the candidate who Muslims believe carries the lesser harm or not? **This is the issue that was being addressed at Madeenah.Com.**

Rebutting this verdict with more general verdicts about the impermissibility of democratic elections and implying that this is what Madeenah.Com is promoting only serves to prove that some individuals have not really understood what the Scholars are saying.

None of the Scholars are saying that voting or elections are permissible; they are all in agreement that they are prohibited, hence the principle "lesser of two harms/evils".

Therefore, had the Scholars believed this was permissible it would not be regarded as a Mafsadah ('harm/evil').

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So the meaning of this principle is illustrated as follows: Which of the two harms/evils is greater?

i) The harm/evil of voting?

or

ii) Refraining from doing so and subsequently drawing the harm of having the worst of the candidates ruling the Muslims?

The question is: Which of these two would draw more harm to the Muslims?

Nobody has said or is saying that voting, elections and Democracy as a whole is permissible.

Secondly, using the method of inserting names such as “Dr. Safar”, “Abdur Rahman Abdul Khaaliq” or “heads of Hizbiyyah” (as occurs in the articles entitled: “The [True and Accurate] Reality of al-Albaanee’s Position on Voting” and “ELECTIONS & VOTING: What do the Scholars say?”) is nothing less than a concerted attempt at bullying those who hold the opinion of its permissibility such as to make it appear as if they are in agreement with Dr. Safar al-Hawaalee, Ikhwaanees and their like. However, the reality is that they are actually following the same opinion as our Salafee Scholars in their stance. During this discourse, the different positions of Salafee Scholars have been presented to the Muslims but the aforementioned tactics have only served to belittle the Scholars themselves. After all, it is they (the Scholars) who hold this opinion, so the rebuttal is more so towards them than those who have translated their speech or published it.

This is not indicative of a knowledge based approach to the issue at all. Such an approach is contrary to that which is essential for the betterment of brotherhood. In addition, it is a form of transgression, and the Salafees are the most just of people in dealing with the people as affirmed by Shaykhul-Islaam Ibn Taymiyyah. This is what Shaykh Sulaymaan ar-Ruhaylee said about such tactics, at a time when another group of Muslims were using this same tactic to force others to boycott Danish products:

“...the issue of great importance is that one should not transgress upon others, label as sinners those who disagree...intimidation must not be applied in this affair...this is contradictory to the Manhaj of the Prophet (ﷺ) in being just and beneficent. Transgression is never permitted in any circumstance.”

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Let us consider for a moment, that the other party concerned was to engage in the same behaviour and thus accuse those who refrain from voting of following the opinion of Takfeeris or the Khawaarij and their like. The result would be much unnecessary name-calling surrounding an issue where both opinions are ascribed to our noble and beloved Salafee Scholars.

It should be noted that there is much to be said about the honesty and sincerity of those who have assumed a position of responsibility in conveying the speech of the Scholars. They have seen it fit to employ such tactics when publishing such articles and allowed them to circulate amongst the Muslims, wAllaahul-Musta'aan.

Such behaviour is totally void of reverence and respect for the Ijtihad of the Ulamaa of Ahlus-Sunnah and only illustrates that those employing these tactics are unaware of how to deal with issues of Ijtihad in which our Salafee Scholars differ. This is indicative of not having benefited from the Scholars and therefore lacking the opportunity to learn their manners and how they deal with their brothers and fellow Scholars in similar issues; Manners that cannot be acquired by merely reading books or listening to cassettes.

In this light, we would like to draw attention to a particular error in one of the translations:

“Questioner: We have heard that you – O Shaykh – have said that it (participating in parliamentary elections) is permissible, but with conditions.

Al-Albaanee: No! It is not permissible!”

As you can see, “it” has been interpreted by the translator himself whereas the reader has no proof as to what the Shaykh may have been referring to.

From the aspect of Arabic grammar, a pronoun refers to something previously expressed or understood in a particular passage or conversation. So when referring to the source of the Shaykh’s statement, we realise the Shaykh was not referring to the general issue of “participating in parliamentary elections” as the translator incorrectly leads the reader to believe - since this encompasses a lot of things.

We will leave it to the translator to revise his work, then “truly” and accurately, as his title indicates, inform the people as to exactly what Shaykh

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al-Albaanee was referring to when he said: “it”. However, one should also bear in mind that having some proficiency in the Arabic language itself does not qualify one to attempt to interpret the Fataawa one is translating unless one has studied the issue at hand from the Scholars themselves.

We would also like to add that anybody who accurately reads the Fatwa of Shaykh al-Albaanee entitled “The Reality of al-Albaanee’s Position on Voting”¹ that was published on Madeenah.Com would clearly see that it has nothing whatsoever to do with Algeria. His position is consistent on this specific topic and the readers can see this for themselves; The verdict that he gave to the Algerians is a separate Fatwa and therefore an analogy between the two issues can only be made by those who may not fully understand when or how to make an analogy, as occurs in the following and elsewhere:

“People historically who have resorted to actions similar to these are the likes of Salman al-Awdah who used Shaykh al-Albaani’s permission for the Algerians to enter into elections as a means of justifying that act in front of the populace in general.”

Additionally, whoever it is who is posting such statements should assume due responsibility and identify exactly who they are by signing their names at the bottom of their posts, as posting under an alias, website name, publishing company or Masjid is still considered to be “Majhool” (unknown) to a certain degree. We do not see Shaykh Rabee’ writing under “Rabee.Net” or “Masjid so and so”, or any other Scholars - as such names can encompass a number of individuals. How many fataawa have we come across from the Lajnah, whereby they officially publish them along with a list of those members of the Lajnah who issued the fataawa? Clearly the issue of Jahaalah (such as writing under ambiguous names, as described above) is not from the manhaj of the Salaf and in this spirit one will find the people of knowledge and truthfulness and their students.

Thirdly, issues like these which involve millions of Muslims worldwide should not be restricted to the mistakes or arguments of a particular establishment, or what is taking place in a particular locality, country or continent. This issue affects all Muslims worldwide, so it should be addressed in its generality. Addressing the issue on the premise of what is happening in a particular locality does not give Muslims living elsewhere their due right in the issue, as occurs in this statement:

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¹ <http://www.madeenah.com/article.cfm?id=1212>

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“Muslim women can be seen on the streets of many cities in full Hijab and Muslim men in Islamic garb and full beards, all of this with no obstruction from the authorities. All of these rights are afforded them without need of entering elections or voting.”

Supposing Muslims in certain communities or localities are receiving equal rights much the same as other religious groups (which is debatable as we are sure most would agree) then this may not be the case in other localities where Muslims may be denied certain rights like wearing the veil at work or school or discrimination of the beard at certain work environments etc.

A Muslim minority which is not receiving equal rights can use this same argument to justify the permissibility of voting - stating that since they are not receiving their rights then they need to enter elections, which would also be incorrect. Attempting to reach the correct opinion in such a matter on the pretence of what is happening in a specific locality or time period only further illustrates the lack of knowledge regarding how to arrive at the correct opinion. By doing so, every locality would reach what suits their desires or what is befitting for their locality without taking the guidelines of the Islaamic legislation into account or the reality of the verdict as to whether it is permissible or not.

Here is what Shaykh Muhammad ibn Haadee said about a similar case:

“My brothers, it is obligatory upon us to be students of knowledge, that we do not get carried away by storms or emotions, rather we traverse upon well thought out principles and legislated evidences that were related by the Messenger of Allaah (صلى الله عليه وسلم) and his companions and the leading Scholars of guidance, the Imaams of Ahlus-Sunnah, may Allaah have mercy upon all of them.”

Fourthly: It should also be stated that this issue is considered to be from the issues of Nawaazil (major affairs which have befallen/affected the Muslims and therefore require guidance from the recognised major Scholars).

So, if the major Scholars differ regarding any such issues, we should suffice the Muslims with their speech and not try to convince them with our own limited opinions on the matter as none of us are qualified to do so in such a major affair – as some of our brothers have kindly illustrated.

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Importantly, Shaykh Muhammad ibn Haadee mentioned that what has harmed the Salafee Da'wah greatly is people inserting their own introductions, explanations, conclusions and footnotes to the speech of the Scholars while they are alive and thus can be contacted to further explain what they meant or intended.

In issues of Nawaazil, even the lesser Scholars in knowledge should not be referred to. These affairs are for the recognised major Scholars, as is well established amongst the Salafees; that they turn to the major Scholars during Fitan (tribulations) and Nawaazil. Importantly, the great Muhaddith, Shaykh Hammaad al-Ansaaree was asked about an issue to which he replied:

"...may I be whipped if I were to put myself forward to deal with such issues whilst we have the Grand Mufti in office!"

And on numerous occasions, Shaykh Muhammad Amaan al-Jaamee, Shaykh Abdul-Muhsin al-Abbaad (the Shaykh of all the Mashaayikh of Madeenah), Shaykh Saalih as-Suhaymee and others have recommended people to refer such issues to the Lajnah (The Permanent Committee for Islaamic Research and Verdicts).

The issue of voting or running in democratic elections in itself is not from the Nawaazil. It is clear that it is impermissible, but the issue of weighing out the benefits and harms of voting for the lesser of two harms for the great masses of Muslim minorities in the West does encompass Nawaazil because a decision like this greatly affects the lives of millions of Muslims. It needs immense knowledge, deep insight, wisdom, understanding and experience and these qualities are found in the recognised major Scholars of Ahlus-Sunnah and not the common Muslims, students of knowledge or Du'aat.

Shaykh Ibraaheem ar-Ruhaylee said about such issues of Nawaazil:

"...it is the rulers [Scholars are included as well] who are the authority in this affair, they are the ones who are to be referred to when it comes to the issue of the interests/well being of the general public, whether it is the issue of boycotting or other than that from the major issues that befall the public. We notice that during a lot of these major affairs, the common folk take on the responsibility of directing the masses and propagating their opinions, whether they do so by sending messages through cell phones or through the internet or other mediums, they take on the responsibility, put themselves forward and direct the masses... Trying to come with a ruling in

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such major affairs is not something simple, rather the situation has to be properly analyzed, the consequences of the decision have to be taken into account as well as the repercussions. This is why you will not find any intelligent person who ponders over these issues except that he would realize that being hasty in such situations may lead to terrible repercussions upon the Muslims, rather it may even be from what Allaah has prohibited.”

Fifthly, we have the issue of utilising the internet as a means of giving advice. If in fact this was the intent of those who posted their opinions on various Salafee sites then they must know that when you give Naseehah in this manner it is called Fadheehah (i.e. exposing/humiliating someone) and the article of al-Haafidh Ibn Rajab (rahima-hullaah) which was translated on this site some time ago vividly clarifies the difference between the two. The administration at Madeenah.Com has exerted itself in addressing this issue as well as many other issues in the past but we now ask the question:

When will we start conducting ourselves like the Scholars whom we claim we follow?

When our Shaykh, Muhammad ibn Haadee was advising Shaykh Faalih al-Harbee for eleven years as he mentions to us now, was he doing it publicly and in general gatherings or was this something done privately between the two of them?

When our Shaykh, Rabee' ibn Haadee was advising Abul-Hassan al Ma'rabee for seven years to retract his errors on various issues, did he do it publicly or privately between themselves?

This is the methodology of the Ulamaa when it comes to giving advice, as the Prophet (sal-Allaahu 'alayhe wa sallam) said:

“Whoever desires to advise the leader then he should not do so publicly, rather he should take him by the hand and advise him privately. If he accepts then so be it and if he rejects it then he has carried out his responsibility.” (Saheeh Muslim).

The Ulamaa explain that this is the basis when it comes to giving advice to any Muslim and it is not restricted to the Muslim leader.

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To conclude, it appears that most of the confusion appears to stem from not knowing how to conduct ourselves when our Scholars differ in issues of Ijtihad. Especially in issues like this, issues that only arose in our era, issues that were not present at the time of the Salaf, issues where differing is more likely to occur between our Scholars since they would be the pioneers in delivering a verdict concerning them. An article by Shaykh Ibn 'Uthaymeen has already been published concerning how Ahlus-Sunnah should conduct themselves in such cases where he stated:

“There is no doubt that this type of behaviour damages this Ummah and it is imperative for the students of knowledge to understand that this is detrimental and disappointing to all of us.

I will ask you: Did any revelation come to you from Allaah informing you that the position which you chose is correct?

If no revelation came to him to inform him of this, then how is it that he can be so convinced that his position is the correct position?! He doesn't know, perhaps his brother who opposed him and took a different position could be the one who is actually correct and he himself is the one who is astray!!”

This article can be accessed here², and another by Shaykh Saalih al-Fowzan on the topic will follow Inshaa.-Allaah.

Additionally, we recommend the Muslims seek benefit from Shaykh Ibn 'Uthaymeen's important book, entitled: “The differing between the Scholars and our position regarding it” (الخلاف بين العلماء و موقفنا منه).

Shaykul-Islam Ibn Tayamiyyah said:

“He is not the Faqeeh, one who forces his opinion upon the people.”

Shaykh al-Albaanee said:

“It is from politics to stay out of politics.”

It would be wise to suffice ourselves with the speech of our noble Salafee Scholars and not get involved with our own opinions in affairs which are worthy of Scholarly attention.

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² <http://www.madeenah.com/article.cfm?id=1216>

Finally, Madeenah.Com is always open for sincere advice and suggestions as too are the translators of the articles therein. That said, we pray that we can all benefit from such information and conduct ourselves in a befitting manner if such issues arise in the future, and not behave in a manner that would only increase hostility and splitting between the Salafees, issues in which the Salafee Scholars themselves have differed in but would never behave in such a manner amongst themselves, wAl-laahul-Musta'aan. We implore Allaah ('Azza wa Jall) to unite our hearts as Salafee's and to forgive us our sins and transgressions and allow us to work together upon al-Birr and at-Taqwa for indeed He is capable of all things.

wAllaahu A'lam, and all praise is due to Allaah (alone), the Lord of the worlds, and may the salaah and salutations be upon the final Messenger sent to the Jinn and Mankind; Muhammad, his family and all of his noble companions.

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...conduct ourselves in a befitting manner if such issues arise in the future, and not behave in a manner that would only increase hostility and splitting between the Salafees, issues in which the Salafee Scholars themselves have differed in but would never behave in such a manner amongst themselves...

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