

**Condemnation of  
the Democratic Process,  
Voting and the Islâmic Stances  
on these Issues**



**RECORDING BY SHAYKH ABÛ QATÂDAH  
ANSWERING QUESTIONS EXCLUSIVELY FOR AT-TIBYÂN**

# Condemnation of the Democratic Process, Voting, and the *Islāmic* Stances on these Issues

A Recording by *Shaykh* Abū Qatādah ‘Umar Ibn Mahmūd  
Abū ‘Umar Al-Filastīnī, May Allāh Free Him,  
Answering Questions Exclusively for *At-Tibyān*

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# وَأَمَّا الْيَسَارَةُ

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### Translator's Foreword

All praise is due to Allāh, and may His Blessings and Peace be upon the Seal of the Prophets, Muhammad Ibn 'Abdillāh, and upon all of those who follow him in guidance, until the Day of Recompense.

To proceed,

We at *At-Tibyān* Publications are pleased to present a recorded question and answer period with our *Shaykh*, Abū Qatādah 'Umar Ibn Mahmūd Abū 'Umar Al-Filastīnī, may Allāh free him from prison. The arrangement for these question periods was originally set up to have about forty questions answered, and it was planned to be over a number of sessions. The *Shaykh* completed the first session and was not able to complete the rest as he was arrested and has yet to be released. This translation is being made available along with the recorded version of the session, which will give the benefit of the original audio answers to all of the Arabic speaking readers.

Along with translating the recording, we have also added footnotes that are preceded by "**Trans. Note:**". As this is the translation of an audio recording, and not an article, there are many instances wherein the *Shaykh* will say a word or start a sentence, then change to a different sentence. We have translated this word for word to the best of our abilities. As a result, there are parts of this article that might seem out of place, mainly at the beginning of some sentences.

We ask Allāh, *Ta'ālā*, to free the *Shaykh* and all the imprisoned Muslims, and to reward him for the time and effort he put into answering these questions, as well as all of those involved in spreading this material and calling to Allāh.

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I seek refuge with Allāh from the accursed Shaytān,

In The Name Of Allāh, the Most Compassionate, the Most Merciful.

All Praise is for Allāh, praises which are abundant, pure and blessed, and may the Blessings and Peace be upon the best of the creation, Muhammad, and upon his fine and pure family and upon his Companions; *Al-Gurr Al-Mayāmīn*,<sup>1</sup> and whoever follows them in goodness and guidance until the Day of Recompense.

As to what follows:

Our Brothers from “*Dār At-Tibyān*” have come to me with some questions, and they requested from the poor slave to answer them with his voice, and they are recorded to their letters upon papers handed over to me. So I ask Allāh, *Subhānahu Wa Ta’ālā*, to help me clarify the point of truth in them and to achieve that which Allāh, *Subhānahu Wa Ta’ālā*, in what He loves and is pleased with.

And I ask Allāh, *Subhānahu Wa Ta’ālā*, to reward the Brothers with the best of rewards, and to forgive them for what they hoped from their Brother and that which they assumed about him.

I say: In the first question, they say; “Our Noble *Shaykh*, to begin with, some of those who spread (the idea of) Parliamentary elections, and that they are permissible, have come with a new doubt which they have relied upon. And this doubt is based upon a *Hadīth*, the Text of which is the following:

From Umm Salamah Bint Abī Umayyah Ibn Al-Mughīrah, the wife of the Prophet, , she said, “When we arrived in the land of Al-Habashah, we were given the protection of the best neighbour, An-Najāshī.” Until she said, “So by Allāh! We were upon that (peace and security) until a person came upon him, – meaning one who disputed him in his kingdom –.” She said, “So by Allāh! We did not know grief that was more severe than the grief that we grieved at that point out of fear that that one would defeat An-Najāshī, so a man come not acknowledging our rights as An-Najāshī would acknowledge them.” She said, “And An-Najāshī went ahead (to engage with him in a battle), while between them was the width of the Nile.” She said, “So the Companions of the Messenger

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<sup>1</sup> **Trans. Note:** This phrase literally means “The Blessed White Ones”. The “...White Ones...” is referring to the *Hadīth* of Abū Hurayrah, may Allāh be pleased with him, that the Prophet,

, said, “*Verily, my Ummah will be called on the Day of Resurrection as Ghurran Muhajjalīn, due to the effects of the Wudhū*” Narrated by Al-Bukhārī, Muslim, and others. “*Ghurran*” refers to a brightness or whiteness that appears on the heads of horses, and “*Muhajjalīn*” refers to a brightness or whiteness that appears on the limbs of horses.

of Allāh, , said, ‘Who is a man who will go out and observe what takes place between the people, then come to us with the news?’” She said, “So Az-Zubayr Ibn Al-‘Awwām said, ‘I will.’” She said, “And he was among the youngest of the people.” She said, “So they blew into a water skin for him, then he placed it upon his chest, then he swam on it until he arrived at the place in the Nile River where the meeting place of the people was, then he went until he witnessed them.” She said, “So we made *Du‘ā’* to Allāh for An-Najāshī, to have dominance over his enemy, and consolidation for him in his country. And the matter of Al-Habashah was sought to be made stable through him. So we were with him in the best of homes, until we came back to the Messenger of Allāh, , and he was in Makkah.”

The questioner says, “Ahmad and Al-Bayhaqī narrated it, and this phrasing is that of Ahmad, from the path of Ibn Is’hāq, who said, Az-Zuhri narrated to us (*Haddathanā*), from Abī Bakr Ibn Abdir-Rahmān Ibn Al-Hārith Ibn Hishām, from Umm Salamah. <sup>2</sup>

So the method of using this as evidence according to them, is that they made *Du‘ā’* to Allāh to give An-Najāshī consolidation in the land, and he was a *kāfir* at that time, as they said. And if *Du‘ā’* is the highest levels of support, then whatever is less than it like voting, is included in it from a more deserving point. Then they said, if you forbid (participating in) the elections, then is it allowed for you to make *Du‘ā’* to Allāh to consolidate a seat in parliament for a man, instead of voting for him? So what is your opinion with in the way the evidence is used, and what is the correct stance which it is upon us to take towards those who are of the opinion of the permissibility of voting in the general legislative elections, *Wa Jazākum Allāhu Khayr.*”

I say, and with Allāh is the granting of success, as it is known, that the issue of elections is a newly invented issue, modern and it is from the new occurrences.

And before a *Fatwā* can be made about any issue, it is a must to understand it, and to refer it back to its correct origin (*Asl*), and to deal with it according to, to how it is (defined) in the terminology of its person (i.e. the one who uses it and invented it) or in the terminology of its person, and not as the *Muftī* or the speaker imagines. So first, we must know, what is the issue of the elections according to those who invented it and according to those who deal with it, then

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<sup>2</sup> **Trans. Note:** This *Hadīth* was narrated by Ahmad in his “*Musnad*”, and was declared “*Hasan*” by Al-Wādi’ī in “*As-Sahīh Al-Musnad*”, #1672 and an almost identical phrasing was declared “*Sahīh*” by Ahmad Shākir in his *Takhrij* of “*Musnad Ahmad*”, Vol. 3/180.

after that it is upon us to know the ruling of Allāh, 'Azza Wa Jall, regarding it, through the method of *Ijtihād* which the People of Knowledge know, or upon the methods of the People of Knowledge.

So, as we see, that the topic of elections has been spoken about extensively, and every day a (new) doubt appears for the person of doubts, and it is known that the doubts will never end, in reality. <sup>3</sup>

And the people have spoken a lot about it, and it is clear to every individual with clear sight, that the topic of elections; it is not looked at, it is not looked at by considering it to be an instrument or a means, rather, it is looked at based upon its basis from which this means spurted out of. Meaning that elections are the practical application of an '*Aqīdah* and of a fundamental, or as they label it today, an ideology.

So this is the issue. So if we understand the basis, then at that time, judging upon the branch becomes easy for us. As for some are the discussion, like I hear a lot, about the elections only, in other words, by separating it, its condition far away from its reality and far away from its origin, then this is from the concealment, and this is from the evil, rather, this is from the deviation from the correct path.

Elections are means, yes, but a means to what? A means spurted out of what?

What is known is that the systems, there are systems which are called democratic systems, and they give the right of *Siyādah* (sovereign authority, command, mastery, lordship, sovereignty, supremacy, rule) to the people. And the *Siyādah*, as it is known, in the constitutional science, or the political science, is that it is a high, absolute authority, which there is no authority higher than it, which has the right to issue laws. This is the *Siyādah*. So they say that the *Siyādah* is for the people, the *Siyādah* is for the nation.

So this *Siyādah*, out of which spurts the right to legislate, the authority of legislation, the judicial authority, then the authority of enforcement, then these must be based upon the will of the people and upon that which the people want and upon that which the people approve of.

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<sup>3</sup> **Trans. Note:** For a comprehensive discussion and refutation of the most popular doubts used to promote democracy, look to the following book by *At-Tibyān* Publications: "The Doubts Regarding the Ruling of Democracy In *Islām*".

And Democracy is established upon two foundations; upon the foundation of the majority and the minority, and from the right of the minority is to strive and to dispute to reach to the majority. And from the right of the majority is to rule and to legislate and to operate the, and to enforce the matters and operate the rulings. This is the basis of democracy. So as we see, the issue returns back to the understanding of *Siyādah*.

So at that time, the elections are a voicing of the will of the people. How do we know the will of people? They say by the method of elections and voting.

So voting is a means to knowing the will of people, which they themselves have the right of *Siyādah* in legislation in that which we are in right now, in the topic of parliaments. So the parliament is the body from which comes, firstly, many matters come from it, but firstly what comes from it is legislation, in other words, labeling something to be *Halāl* and removing the ruling of forbiddance off of it, this is the meaning of legislation (*Tashrī*). Legislation means, it is labeling something *Halāl* and removing the ruling of forbiddance off of it, or labeling something *Harām* and removing the ruling of forbiddance, permissibility off of it.

This legislation, it is from the right of this body, which has been elected by the people. And this is an issue, as we see, which disputes the right of Allāh, ‘*Azza Wa Jall*, in that which is His right, from His Dietyness (*Ulūhiyyah*). Because *Ulūhiyyah* is not complete except with the meaning of commandment, as Allāh, ‘*Azza Wa Jall*, said,

**“Surely, His is the Creation...”**

And this is the Lordship (*Rubūbiyyah*),

**“...and the Commandment.”<sup>4</sup>**

And it is the *Ulūhiyyah*.

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<sup>4</sup> **Trans. Note:** *Sūrat Al-A’rāf*, 54

And the *Ilāh* (God), He is the One who commands. So if we dispute, so if we describe anyone as having the right to issue commands independently, and that is *As-Sayyid*, in other words, the One who is obeyed, as Ibn ‘Abbās explained it, may Allāh, *Ta’ālā*, be pleased with him, at His saying,

**Say: “He is Allāh, (the) One.”<sup>5</sup>**

He said, He is *As-Sayyid Al-Mutā’* (The Obeyed One). *As-Sayyid*, whom none of His Commands are rejected, *Al-Mutā’*, whom none of His Commands are rejected.<sup>6</sup>

So at that time, we understand that the Parliament is *As-Sayyid*, in other words, the *Ilāh*. And that the elections, their meaning, in that which they represent, it is the electing a *Sayyid*. This is what they mean, the electing of an *Ilāh*.

It is the way in which its (i.e. democracy’s) sons have understood them (i.e. the elections) and like its people have acknowledged them, and not as some imagine it, that it is the achievement of benefits or that which resembles that, or that they are (a way of) electing a ruler whom rules with the *Sharī’ah*, in the face of those

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<sup>5</sup> **Trans. Note:** *Sūrat Al-Ikhlās*, 1

<sup>6</sup> **Trans. Note:** This phrase which is narrated within the *Tafsīr* of this *Sūrah* has been narrated from ‘Abdullāh Ibn ‘Abbās, ‘Abdullāh Ibn Mas’ūd, Abū Wā’il, Shaqīq Ibn Salamah and Abū Ja’far, as was mentioned by Ibn Jarīr At-Tabarī and Ibn Kathīr also mentioned it from Zayd Ibn Aslam. Al-Qurtubī mentioned it from Sufyān as well. The narrations from Ibn ‘Abbās were mentioned as being weak by Ibn Taymiyyah in “*Majmū’ Al-Fatāwā*”, Vol. 8/150, but he then mentioned that the likes of these phrasings are confirmed from the *Salaf*. Ash-Shawkānī also mentioned one of them being weak in “*Fat’h Al-Qadīr*”, Vol. 5/754. Al-Albānī declared the narration from Ibn Mas’ūd to be “*Hasan*”, in his *Takhrij* of “*Kitāb As-Sunnah*”, by Ibn Abī ‘Āsim, #666. Al-Albānī also mentioned a similar phrasing from ‘Alī Ibn Abī Tālib, in “*Tas’hīh Al-‘Aqā’id*”, 119, but mentioned that there is weakness and a break in the chain. The narration from Abū Wā’il, however, was declared “*Sahīh*” by Al-Albānī in his *Takhrij* of “*Kitāb As-Sunnah*”, #671. Yet stronger than this, is the attribution of *As-Sayyid* being attributed to Allāh, *Ta’ālā*, in *Hadīths* from the Prophet, , such as the following: From ‘Abdullāh Ibn Ash-Shikh’khīr who said, “I went out with the delegation of Banī ‘Āmir to the Messenger of Allāh, , so we said, ‘You are our *Sayyid*’ So he said, ‘*Allāh is As-Sayyid*’... The *Hadīth*. Narrated by Abū Dāwūd, Ahmad, Al-Bukhārī in “*Al-Adab Al-Mufrad*”, and others. This *Hadīth* was declared “*Sahīh*” by Ash-Shawkānī in “*Fat’h Al-Qadīr*”, Vol. 1/336 and Vol. 11/5646. It was also declared “*Sahīh*” by Al-Albānī in “*Sahīh Abī Dāwūd*”, #4806, “*Sahīh Al-Adab Al-Mufrad*”, #155, “*Mishkāt Al-Masābil*”, #4826 and “*Islāh Al-Masājid*”, 139. It was also declared “*Sahīh* upon the conditions of Muslim”, by Al-Wādī’ī in “*As-Sahīh Al-Musnad*”, #578. Also, the narration from Abū Wā’il was also declared “*Sahīh*” by Al-Albānī in his *Takhrij* of “*Kitāb As-Sunnah*”, #671.

disputing in, upon the way in which to implement a principle, and the likes of this.

No. The legislation, the parliament is a legislative body, and a supervisory body and it has other authoritative (responsibilities). For example in some of the systems it is that which, the majority, it is that which from its right is to have the ministers be from it and for the authority of implementation to be from it.

These are matters which are secondary to the first matter, and it is the right to legislate, those who have the right to issue legislation, as it has passed in the discussion.

So what is an election? The meaning of an election is that I am satisfied with this one (individual) as a representative for me in expressing my will in declaring something to be *Halāl* or *Harām*, here in the legislation. And this, as it is clear, is in opposition to his saying of “*Lā Ilāha Illā Allāh*”, in opposition to the will of the Muslim who says “I render myself obedient to Allāh, ‘*Azza Wa Jall*, through *Ulūhiyyah*”. In other words, I do not accept anyone, in this issue, the legislation, I do not accept a legislator except Allāh. I do not accept as a ruler over me, (and) a ruler, not in the meaning of ruling in the meaning of implementation, but a ruler in the meaning of the right to issue commands, except Allāh. And it is that which some of the contemporaries label it with, and it is a correct labeling, with *Hākimiyyah*.

Therefore, why do they dispute in this issue? From what point is this issue disputed against?

Are we now talking about the subject of the permissibility of assisting a *kāfir*?

Are we now talking about the topic of whether it is permissible to fight along with, under the banner of a *kāfir* against another *kāfir*?

Why is there, why is there this deviation away from the point of this topic?

The issue that is in front of us, and it is that the, that the person chooses his god (*Ilāh*), his master (*Sayyid*), his legislator (*Musharri*). And whosoever sees the permissibility of entering the benefits into this topic, then he has come with something immense in the Religion of Allāh, ‘*Azza Wa Jall*.

Because, because the necessity of the Religion (*Dīn*) is given precedence over any (other) necessity, as there is consensus upon. Nothing of is given precedence over the necessity of the Religion (*Dīn*), as Ash-Shātībī, <sup>7</sup> may the mercy of Allāh be upon him, said. Because the necessities are at different levels, and, and the necessity of the Religion (*Dīn*) is given precedence, placed ahead of any other necessity, from the necessity of the self (*An-Nafs*), the wealth (*Al-Māl*), the honour (*Al-'Irdh*), the offspring (*An-Nasl*), to the end of them. <sup>8</sup>

The question that is in front of us, as you see, it is discussing the topic of assistance; the permissibility of supporting a *kāfir* against a *kāfir*.

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<sup>7</sup> **Trans. Note:** He is Abū Is'hāq Ibrāhīm Ibn Mūsā Ibn Muhammad Al-Ghīrnātī Al-Andalūsī, known as Ash-Shātībī. He was from the *Imāms* of the *Mālikiyyah*. He died in the year 790 H. He is the author of "*Al-I'tisām*", and "*Al-Muwāfaqāt Fī Usūl Ash-Sharī'ah*".

<sup>8</sup> **Trans. Note:** Ash-Shātībī said, "As the *Ummah*, rather, the rest of the *Millahs*, have agreed that the *Sharī'ah* was put in place to preserve the five necessities, and they are: the Religion (*Ad-Dīn*), the self (*An-Nafs*), the offspring (*An-Nasl*), the wealth (*Al-Māl*) and the mind (*Al-'Aql*)." "*Al-Muwāfaqāt Fī Usūl Ash-Sharī'ah*", Vol. 1/38. Also, Muhammad Ibn Muhammad Al-Hanafī Al-Halabī, known as Ibn Amīr Al-Hājj, (Died in the year 879 H.) said, "And the preservation of the Religion, amongst the necessities, is given precedence over other than it, when there is conflict, because it is the greatest goal. He, *Ta'ālā*, said,

**And I created not the *Jinns* and humans except so that they should worship Me** (*Sūrat Ath-Thāriyāt*, 56)

And other than it is a goal due to it (i.e. All the other goals are only goals for the benefit of the Religion). And because its fruit is the most complete of fruits, and it (i.e. its fruit) is the achievement of eternal happiness in the nearness to the Lord of the Worlds. Then the preservation of the self is given precedence over the preservation of the lineage (*An-Nasab*), the mind, and the wealth, due to it including the Religious benefits, because they (i.e. the Religious benefits) are only achieved through the acts of worship, and their achievement (i.e. the acts of worship) is reliant upon the survival of the self. Then the preservation of the lineage is given precedence, because it is for the survival of the self of the child. Because through the forbiddance of *Zinā*, no mixing of the lineage takes place, so he (i.e. the child) is attributed to (only) one individual, so he (i.e. the father) does diligence in raising him and preserving his (i.e. the child's) self. Otherwise, he (i.e. the child) would be neglected, then his self would be lost due to his inability to preserve it. Then the preservation of the mind is given precedence over the preservation of the wealth, due to the loss of the self through its loss (i.e. if the mind is lost, the self is essentially gone as well), to the point that the person joins the animals (i.e. meaning that if the person loses his mind, he becomes like an animal in his ability to function, know right from wrong, etc.) and the responsibility falls off of him with its loss. And from there, with its loss becomes obligatory what is obligatory with the loss of the self, and it is the full blood money (i.e. If someone harms someone else and destroys his mind, he is responsible to pay the full blood money as if he killed the person). Then the preservation of the wealth (comes last)." "*At-Taqrīr Wat-Tahbīr Fī Sharh Kitāb At-Tahrīr*", Vol. 3/231

The default (ruling) is that the *kāfir* is not supported. Then if some of the People of Knowledge see the permissibility supporting a *kāfir* against another *kāfir*, to achieve a benefit from, from, for the Muslims, then this is an issue that remains in the realm of *Fiqh*, because it does not nullify the default (ruling). Contrary to those who see the permissibility of supporting the *kāfir* against a Muslim, as some of the astray ones saw. Rather, I call him one of the *Fuqahā'* who disbelieved in Allāh with this *Fatwā*, those who permitted supporting America against Tālibān, for example.

And this is not allowed, because support is included, primordially, within allegiance (*Al-Walā'*), and the default is *Al-Walā'* for Allāh, for His Messenger and for the Believers. And disavowal from the disbelievers is obligatory.<sup>9</sup>

So that which, now we are in an issue which was mentioned in some of the books of *Fiqh*, as Al-Haytamī<sup>10</sup> mentioned. Al-Haytamī mentioned, from Ash-Shāfi'ī, he mentioned in "*Al-Fatāwā Al-Hadīthiyyah*", the issue of the permissibility of supporting a *kāfir* against a *kāfir* to achieve a benefit, and he mentioned some of the words of the People of Knowledge, so this is an issue which is an issue of *Fiqh*.

Someone might say "I made allegiance with him." No, in reality, he has not made allegiance with him, rather he only made allegiance with himself, the Muslim, in order to achieve a benefit for himself and for the Muslims.

So this, as for the use of evidence, as for his saying, and in the question, in reality, the question, as we see, there are some mistakes. So his statement that the *Du'ā'* is the highest level of support, this is not correct, because the Prophet,

, made *Du'ā'* for 'Umar, may Allāh be pleased with him, when he said, "O Allāh, give 'Izzah to Islām with either one of the two 'Umars.", "O Allāh, give 'Izzah to

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<sup>9</sup> **Trans. Note:** For a comprehensive discussion on the ruing of supporting disbelievers against Muslims, look to the following books by *At-Tibyān* Publications: "*Ad-Dalā'il Fī Hukm Muwālāt Ahl Al-Ishrāk*" or "The Evidences For The Ruling Regarding Alliance With The Infidels" by Imām Sulaymān Ibn 'Abdillāh Ibn Muhammad Ibn 'Abdil-Wahhāb, and "*At-Tibyān Fī Kufri Man A'ān Al-Amrikān*" or "The Exposition Regarding the Disbelief of the One That Assists the Americans" by Shaykh Nāsir Ibn Hamad Al-Fahd.

<sup>10</sup> **Trans. Note:** He is Ahmad Ibn Muhammad Ibn 'Alī Ibn Hajr Al-Haytamī Al-Makkī Ash-Shāfi'ī. He was born in Egypt in the year 909 H. He taught at Al-Azhar, and he died in the year 974 H. Look to "*Al-Badr At-Tāli' Bi-Mahāsīn Man Ba'd Al-Qarn As-Sābi'*" by Ash-Shawkānī, Vol. 1/109. From his works besides "*Al-Fatāwā Al-Hadīthiyyah*", are "*Al-Ināfah Fī Mā Jā'a Fī As-Sadaqati Wadh-Dhiyāfah*", "*Al-I'lām Bi-Qawāti' Al-Islām*", and "*As-Sawā'iq Al-Muhriqah 'Alā Ahl Ar-Rafdhi Waz-Zandaqah*" among others.

*Islām with the two 'Umars.*", in a narration, as its basis is authentic, even if its phrasings differed. <sup>11</sup>

So was making *Du'ā'* for him with *Islām* support? The statement that *Du'ā'*, from every angle, is the highest level of support is a false (*Bātil*) statement.

When we make *Du'ā'* for disbelievers with guidance, are we, we have made allegiance with *Islām* in this, and when he made *Du'ā'* for this *kāfir* with victory upon his enemies from the disbelievers, they only supported that which they believed to be an achievement of benefits for the Muslims.

And the issue, as you see, it is a secondary (*Far'ī*) issue related to actions, in front of an '*Aqīdah* issue, so we hope to remain upon it.

Now another question: If you forbid the elections, then is it permissible for you to make *Du'ā'* to Allāh, to consolidate, to consolidate for a man a seat in the parliament instead of electing him?

It means, this is a fallacy. A desire might come in the heart of the Muslim for someone, that he wishes in his heart for this one to be victorious over this one, due what there is in that from the suppression of the other one, or the enemy of the Muslims. So this is an issue that differs from the issue of, or *Du'ā'*, so that it won't be said that he went far away, that it comes in your heart that this one is victorious, then you make *Du'ā'* that He gives victory to this one over this one.

But in reality, all of this does not prevent that reaching, that electing this man, placing the ballot for him, is a choosing, like they call it, a choice, voting, voting is choosing, you have chosen him as a representing god.

So, you wishing for this one, for you to wish for this one to be the representative

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<sup>11</sup> **Trans. Note:** This *Hadīth* was narrated by At-Tirmithī, Ahmad and others, with a similar phrasing. From Ibn 'Umar, may Allāh be pleased with them both, that the Prophet, ﷺ, said, "O Allāh, give 'Izzah to Islām with the one of these two men who is most beloved to you; with Abū Jahl Ibn Hishām or with 'Umar." He said, "And the most beloved to him was 'Umar." This *Hadīth* was declared "*Hasan Sahīh Gharīb*", by At-Tirmithī after narrating it, #3681. It was also declared "*Sahīh*" by Al-Albānī in "*Sahīh At-Tirmithī*", #3681. Ahmad Shākir declared it "*Sahīh*" with the extra phrasing "...Ibn Al-Khattāb." In his *Takhrij* of "*Musnad Ahmad*", Vol. 8/60, and As-Sakh'khāwī mentioned that Ibn Hibbān declared a phrasing with just the *Du'ā'* to be "*Sahīh*" in "*Al-Maqāsid Al-Hasanah*", 113.

of them in *Ulūhiyyah*, because of the fact that he is less of an evil for the Muslims, this is one thing, and for you to wish for this one to be a representative for you, a god, is another thing. I will repeat the discussion so that it will be clear. You, when you make *Du'ā'*, if we hypothesize that it is allowed for you to make *Du'ā'*, then you have made *Du'ā'* to Allāh to give victory to this parliamentarian over this parliamentarian, then you have chosen between, that you see that this one is a god who is more evil than this one. This one is a legislator, this one is a legislator for them who is less in evil than this one, then it has, these words are for them, not for you. Contrary to if you chose that this one is a legislator for you.

It means, that I could make *Du'ā'* to Allāh, "O Allāh, establish this one, because he is less in evil for them, and in his misguidance and in his *kufir* for them." But for, for you to vote for this one to be a god for you, then this is another issue, as you see, it differs with complete difference.

It means, it could, just as it is in, we are not allowed, in another form, so that we will see the form of difference. You, it is not allowed for you to be ruled by, it is not allowed for you to accept the ruling of a *kāfir* upon you, it is not allowed for you to accept the ruling of a *kāfir*. But, is it allowed for you to make *Du'ā'* to Allāh to consolidate for this *kāfir* who is less in evil for the Muslims, and close to the Muslims, and who does not harm the Muslims, over other than him? The answer is yes, but you, in this *Du'ā'*, you did not choose him as a ruler for you, but, because if you chose him as a ruler for you then you would have disbelieved. The one who accepts the ruling of a *kāfir* over the Muslims, even for a moment, disbelieves, as is clearly stated, in the books of the People of Knowledge, "*Al-'Aqīdah At-Tahāwīyyah*",<sup>12</sup> "*Sharh Al-'Aqīdah At-Tahāwīyyah*", by Ibn Abī Al-'Izz Al-Hanafī.<sup>13</sup>

So, but for you to say, "O Allāh, give consolidation to this *kāfir* so he will not hurt the Muslims, (and) so he will be better for his people and therefore his people will be better for the Muslims", then this is another issue.

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<sup>12</sup> **Trans. Note:** Written by Abū Ja'far Ahmad Ibn Muhammad Ibn Salāmah Ibn Salamah Ibn 'Abdil-Malik Al-Azdī Al-Hajrī Al-Misrī At-Tahāwī. He was born in the year 239 H. and died in the year 321 H. From his works besides "*Al-'Aqīdah At-Tahāwīyyah*", are "*Sharh Ma'ānī Al-Āthār*", "*Sharh Mushkil Al-Āthār*", and "*Mukhtasir At-Tahāwī Fī Al-Fiqh Al-Hanafī*", among others.

<sup>13</sup> **Trans. Note:** He is Sadr Ad-Dīn Abul-Hasan 'Alī Ibn 'Alī Ibn Muhammad Al-Athra'ī Ad-Dimashqī As-Sālihī Al-Hanafī, know as Ibn Abī Al-'Izz. Born in the year 731 H. and died in the year 792 H. From his works besides his *Sharh* of "*Al-'Aqīdah At-Tahāwīyyah*", are "*Al-Itbā'*", as well as "*At-Tanbīh 'Alā Mushkilāt Al-Hidāyah*" and "*An-Nūr Al-Lāmi' 'Alā Mā Yu'mal Bihī Fī Al-Jāmi'*", both of which are not found today.

For you to choose a god is a different than you hoping for this one to be the closer one to them. Because the false gods are *kufr*, and they are at different levels in, and they are at different levels in their falsehood, and are at different levels in their *fisq* and their *fujūr*.

There is a difference between it being said, for a person to say “My god is great, and he is in the sky”, and he imagines him in the image of a man, for example, with the image of (having) a beard, and there is a difference between him saying “My god is a cow.” So both gods are false, yet there is a difference between this one and this one.

And the People of Knowledge have mentioned among the misguidances of the people of *Wahdat Al-Wujūd*, is that the Christians are better in their religion than the religion of the people of *Wahdat Al-Wujūd*. Because the people of *Wahdat Al-Wujūd* believe that their god can be manure, and can be – may Allāh honour you – *Najāsah*. Whereas the religion of the Christians, they believe that their god is ‘*Īsā*, , so he is better.

And, of course, does this mean that when we declare this god better than this god, in a declaration of being better amongst disbelievers, does this mean that I have made it permissible for me, myself, to take this god (as my own)? As you see, this matter is in need of sincerity in the presentation.

He says, “What is the correct stance that is upon us to take towards those who are of the opinion of the permissibility of voting in the general legislative elections?”

We, as you see, that the issue of the legislative elections, with us, is an issue that is related to *Tawhīd* and it is not a *Fiqhī* subject. And those who contradict in it, contradict for (a number of) reasons. From them, those who contradict, are at (different) levels.

From them are those who see the permissibility of electing because he does not see that the *Hukm* is for Allāh, rather it is allowed for us to take rulings from other than Allāh, according to that which is agreeable to humans. And this, no, we have seen them, even from *Jamā’ahs* that claim *Islām*. Rather, they have said that we accept for ruling over us, rather, they said that we accept for ruling over us that which the people accept. Those ones are *kuffār* even if they claim *Islām*.

And there are those who do not know the reality of electing, and he sees it as a means, as we discussed. So those ones, the difference with them is slight, because they have not comprehended its reality. So they, their *Usūl* are correct, but they differed in knowing the reality of electing. So they thought that it is a means to electing that which is better for the sake of running the state, for example. And they permit the elections for the running of the state. And they see that in the action of Abdur-Rahmān (Ibn) ‘Awf when he put ‘Uthmān forward, that he (said), “O Alī, I did not see anyone equal to him, to ‘Uthmān, anyone, not you nor any one other than him.”<sup>14</sup> So he sees that this is a kind of voting. So he, this one is differed with in (it). And there are those who see that it is permissible, despite this, he sees that it is allowed to enter this door for the sake of legislating for *Islām*, to put forward the image of *Islām*, to call to Allāh, to support *Islām*. So those ones, those ones are a lesser level than the, a lesser level than the first type that sees the permissibility of giving the legislation to, to the parliament, and it is allowed for the rulings to be issued by way of the parliament. But they are also not at the position of the third level, so they are (in the) middle.

The point is that we treat each position according to it (i.e. its levels). But here is an issue: Someone might say, “Why, do you make *Takfīr* and give them the excuse of ignorance?”

I say, no, us, we do not make *Takfīr* to them in the first place. We do not make *Takfīr* to those who said it is permissible, we do not make *Takfīr* based upon the *Fatwā* (of the one) that says “I rely upon the ruling of Allāh.”, then makes a mistake. Because from the characteristics of the People of *Bid’ah* is that they say

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<sup>14</sup> **Trans. Note:** This story is as follows: Al-Bukhārī narrated in “The Book of the Virtues of the Companions (*Sahābah*)”: “Chapter: The Event of the Pledge of Allegiance (*Al-Bay’ah*) and the Agreement Upon ‘Uthmān Ibn ‘Affān.” And in that chapter, was (the incident of) ‘Umar (may Allāh be pleased with him) leaving the *Khilāfah* after him, to the six (selected) members of the consultation (*Ash-Shūrā*). So three declined (to be the *Khilāfah*) until ‘Abdur-Rahmān Ibn ‘Awf, ‘Uthmān and ‘Alī remained. ‘Amr Ibn Maymūn, the narrator of the *Hadīth*, said, ‘So ‘Abdur-Rahmān said, “Now which of you two is willing to give up his right of candidacy so that we may give it to him, and Allāh and *Islām* will be upon him (as witnesses), that he will look to who is better in his self.’ So both the two *Shaykhs* (i.e. ‘Uthmān and ‘Alī) remained silent. So ‘Abdur-Rahmān said, ‘Do you both leave this matter to me, and Allāh is upon me (as a witness), that I will not choose except the better one from you.’ They both said, ‘Yes.’ So he (‘Abdur-Rahmān) took the hand of one of them (i.e. ‘Alī) and said, ‘You have the relation of the Messenger of Allāh, , and one of the earliest Muslims as you know well. So Allāh is upon you (as a witness) to promise that if I select you as a ruler you will do justice, and if I select ‘Uthmān as a ruler you will listen and obey.’ Then he took the other (i.e. ‘Uthmān) aside and said the same to him. Then when he (‘Abdur-Rahmān) secured (their agreement to) this covenant (‘*Ahd*), he said, ‘O ‘Uthmān, raise your hand.’ So he (i.e. ‘Abdur-Rahmān) gave him (i.e. ‘Uthmān) the Pledge of Allegiance, and then ‘Alī gave him the Pledge of Allegiance and then all of the people of the house entered and gave him the Pledge of Allegiance (*Al-Bay’ah*).” *Hadīth* #2,700

“You have disbelieved” if he contradicts him, from the characteristics of the People of *Bid’ah*. Rather, what is correct is for it to be said that “You have made a mistake.” We see that the vast majority of those who issue *Fatwas* upon it (i.e. the permissibility of voting, etc.), he only issues the *Fatwā*, either out of ignorance regarding the reality of the actuality (of democracy), and those ones are many, like when he says that it is allowed if you have to make your intention sincere. So it is as if he is speaking about an issue that is permissible in origin, but it is in need of rectification of the intention. Because the rectifying of the intention is discussed in the permissible issues, like if you say, “Pray with the correct intention.”

So we do not say that those ones have disbelieved and we have given them the excuse of ignorance, because they, in reality, are those who gave *Fatwas* of permissibility, because they, in reality, did not give a *Fatwā* of *kufr*, but they made a mistake, they made a mistake in understanding the actuality.

And this has taken place throughout history many times. Is it allowed for us to say that the one who permitted the consumption of certain substances, meaning, when the people differed regarding *Qāt*,<sup>15</sup> so some of the people said (it is) *Halāl*, and some of the people said (it is) *Harām*. Those who said (it is) *Halāl*, (said so) because they did not see it as intoxicating, and those who said (it is) *Harām*, (said so) because they saw it as intoxicating. Indeed, one of the two sides is correct.

Is it allowed for anyone to say, “You have disbelieved because you have forbidden that which Allāh made *Halāl*?” And the other to says, “You have disbelieved because you permitted an intoxicant?” The issue here is a difference in the actuality, while they agree on the fundamental.

I hope that I have clarified, even though I feel that the discussion is condensed, due to the necessity of the situation.

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<sup>15</sup> **Trans. Note:** *Qāt*, also known as *Khat*, *Gat*, *Chat*, and *Miraa*. It is a flowering plant native to tropical East Africa. *Khat* has been grown for use as a drug for centuries in the Horn of Africa and the Arabian Peninsula. Its fresh leaves and tops are chewed or, less frequently, dried and consumed as tea, in order to achieve a state of euphoria and stimulation. From those who have mentioned the forbiddance of *Qāt* are the following: Ahmad Ibn Hajr Al-Haytamī in his book “*Tahthīr Ath-Thuqāt Min Akl Al-Kaftata Wal-Qāt*”, Abū Bakr Ibn Ibrāhīm Al-Muqrī Al-Harāzī Ash-Shāfi’ī in his book “*Tahrīm Al-Qāt*”, *Shaykh* Muhammad Ibn Ibrāhīm Ibn ‘Abdil-Latif Āl Ash-Shaykh, *Shaykh* ‘Abdil-‘Azīz Ibn ‘Abdillāh Ibn Bāz, *Shaykh* Abul-Hasan Mustafā Ibn Ismā’il As-Sulaymānī, *Shaykh* Muqbil Ibn Hādī Al-Wādī’ī, and *Shaykh* Abū Nasr Muhammad Ibn ‘Abdillāh Al-Imām.

He says: “The second question is; Our Noble *Shaykh*, based on what you generously put forward, then what is the ruling of *Salāt* behind he who says it is permissible? Is it upon the one being led to repeat his *Salāt* prayer, or is it disliked (*Makrūh*), or is there no harm in it?

All of this returns to knowing his condition. If he has made a mistake, if he has made a mistake in understanding the elections, then this one, we pray behind him, and there is no, and there is no harm, without any dislike, and even without any preference, meaning that we do not put forward other than him ahead of him, except for another reason, and not this reason.

As for if he says it is permissible because he believes that it is allowed for the people to legislate for themselves and that we accept that which the parliament says, then those ones, we do not pray behind them at all. And the *Salāt* isn't disliked, it is invalid (*Bātil*), we do not pray behind them.

As for he who says that we enter in order to rectify, and we know that it is *kufr*, but we do not believe in this matter, and we do not see it, assuming that the issue returns to, the issue of the elections, to what he believes, and not to that which the Legislator implemented, which he is interacting with, and not that which the constitution implemented, then those ones, in reality, meaning, we pray behind them, even though other, other than them are more deserving of the *Imāmah* than them.

Condemnation of the Democratic Process, Voting, and the *Islāmic* Stances on these Issues

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