

# ISLAMIC VIEWPOINT ON VOTING

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4) Mashwarah - Voting as a form of consultation. Thus a prospective voter is offering suggestion as to who, in his opinion is the most entitled to receive the vote.

5) Wakala - Agency of proxy. Where the candidate is made an agent/representative on behalf of the person that has appointed him by vote.

6) It is the form of political Bai'ah (pledging of allegiance) to the candidate, regarding him as most suitable for the post.

These elements of an election which govern voting in Islām make it compulsory upon every Muslim to exercise meticulous care in ones choice of a representative in Parliament, Masjid, Madrassah, Waqf etc. one must make a careful study of his candidate and ask the questions; What type of person is he? Is he trustworthy? Does he possess the ability to represent the community? Does he practise righteousness and piety?

## VOTING IN NON MUSLIM COUNTRIES

It will be permissible to vote under such circumstances where we fear that our religious rights will not be fully preserved and upheld unless we align ourselves with a movement all be it a non Muslim

movement that will strive to protect and secure our religious rights.

In reply to a query regarding participation in non Muslim politics, Shaykh Mufti Kifayatullah (R) wrote; *"The ideal situation would be that the political leader of Muslims should be a Muslim who strictly adheres to the injunctions of the Shar'iah and diligently follows the Commands of Allah. However, if a person with such qualities is unfortunately not available to fill the post, or the Muslim community, due to the misfortune of its inadequacies, is unable to recognise and nominate a person of such calibre to the post, then it would become permissible to align oneself with any political thinker, whether it be Jinnah or Ghandi provided that there is assurance of the legality and benefit of this political leadership."* (Kifāyatul Mufti Vol. 9).

Shaykh Mufti Mahmood Hasan Gangohi (R), writes in reply to a query regarding the issue of voting; *"If by voting there is some benefit to the Deen, nation and country and it is strongly hoped that the party or candidate voted into power will render correct service, then it will be permissible to vote."* (Fatāwa Mahmoodiyah Vol. 5 P.341).

In conclusion, one should be very cautious before giving their vote to any political party. If one finds all parties non beneficial to Deen and our rights then it will be better not to vote.

**A** Muslim is that person whose every action is for Allah. Every single deed, every movement such as walking, sitting, worshipping, working, marrying, and dealing in business or politics, is done solely for the pleasure of Allah.

Since voting during an election is also an action it is necessary for us to understand and learn about the correct Deeni position of the vote. Unfortunately very few people, if any, find time to think, ponder, enquire and learn about Islāmic rulings concerning our daily activities because most people indulge in innumerable actions which are useless and base, and can spare no time for anything else.

### THE POSITION OF VOTING IN ISLĀM

In the 9th Verse of Surah Mā'idah Allah Ta'āla says:

“O You who believe, stand out firmly for Allah as witnesses to fair dealing and let not hatred of others make you swerve and depart from justice.”

In Islām, voting comprises of six elements viz.

- 1) That of giving evidence,
- 2) That of intercession,
- 3) The element of appointing some representative,
- 4) Mashwarah (consultation),

- 5) Wakala (Agency of proxy),
- 6) Bai'ah (pledging of allegiance).

1) Giving evidence encompasses a very wide field of definition and is not restricted merely to the Court House before a Magistrate or Judge as is the general assumption to-day. The terminology of the Qur'ān and Hadith with respect to giving evidence covers a considerably broader meaning.

Mufti Muhammad Shafi (R) in his Ma'āriful Qur'ān, whilst commenting on the above verse, has written that the giving of evidence may be found in many other circumstances. For instance, a doctor who issues a medical certificate confirming that some patient is so sick that he should not attend to his duties, is in reality giving a form of evidence. So too is the case of an adjudicator or lecturer assessing the answer papers of students. Allotting of marks is Shahādah, and if he intentionally or carelessly either reduces or increases a student' marks, he is actually giving false evidence, which as we know is Harām and a major sin.

In a similar manner voting for any Candidate to enter Parliament or other such Assembly is also a form of giving evidence. In this case the Voter is testifying that the Candidate for whom the Vote is being cast is trustworthy, Allah-fearing, very capable and most suitable to represent

the masses. (Ma'āriful Qur'ān Vol. 3 P. 70/71).

2) The next aspect of the Shar'iah to be found in elections is the element of intercession. The role played by the voter in an election is one of interceding, for in actual fact he is intervening on behalf of some candidate who wants to be made a representative of the people. In this way the voter has a share in the good and evil actions of the elected person. Thus if the elected person carries out good work during his stay in office then whatever rewards he will benefit from this, a share will also be due to the voter. Similarly, if the elected candidate does wrong by indulging in un-Islāmic and non-permissible actions then the evil and sin from this shall reach the Voter.

3) Representation - The Voter appoints some person as his representative. If such a representation is only there for the benefit of an individual then the responsibility is limited; but where an entire community is implicated as is the case for elections and an ill-equipped or wrong person is appointed by means of this vote then the rights of the whole community have been usurped. This would mean that the sin of usurping the rights of the whole community falls upon the neck of the Voter, as mentioned in Ma'āriful Qur'ān Vol. 1 P. 73.