




# Evidence for the Prohibition of Muslim Asylum to Non-Muslims and its Political and Social Consequences

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In Islam, to preserve the dignity of Muslims due to their acceptance of the complete divine religion, laws have been established that Muslims are obliged to observe. Under the protection of this precious religion, their honor, life, property, and family are respected, and any actions that may lead to the destruction of these are prohibited. One of the manifestations of this is the prohibition of subjugation to non-Muslims, as Islam strictly forbids Muslims from adhering to laws that result in their humiliation by accepting the commands and entrusting their fate to non-Muslims. This study, through an analytical and descriptive approach and by referring to jurisprudential rulings from primary sources such as the Qur'an and narrations, examines the reasoning behind the prohibition of Muslims seeking asylum with non-Muslims. It also analyzes the political and social consequences of this prohibition. The results of this research confirm the clear evidence from the Qur'anic verses and narrations from the infallible Imams that support the prohibition of Muslims seeking asylum with non-Muslims.

**Keywords:** Evidence, Prohibition, Asylum, Muslim, Non-Muslim, Consequences

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## 1. Introduction

The discussion on the evidence supporting the prohibition of Muslim asylum to non-Muslims is of significant importance, given that asylum is an action performed by a Muslim who is bound by Islamic obligations. This act can be seen as a manifestation of Islamic law, and therefore determines the duties of Muslims regarding this issue. At first glance, this matter appears inevitable in today's world due to emerging conditions and requirements. Since Islam is deeply concerned with preserving the spiritual and personal integrity of Muslims in their interactions with non-

Muslims, and since it strongly opposes any form of disrespect, humiliation, or subordination to non-Muslims, it is necessary to examine this issue to clarify the religious obligations of Muslims when confronted with this phenomenon. Analyzing numerous Qur'anic verses and narrations reveals that Islamic jurisprudence's perspective on this matter is clear. God states in verse 28 of Surah Al-Imran: "Let not the believers take disbelievers as allies rather than the believers." In Surah Hud, verse 113, He says, "Do not incline toward those who do wrong." Furthermore, in verse 141 of Surah Al-Nisa, God affirms, "And never will Allah grant the disbelievers a way over the believers."



The divine essence has explicitly stated that non-Muslims should not have dominion over Muslims. Given that the issue of Muslim asylum to non-Muslims establishes control by non-Muslims over all aspects of a Muslim's social and private life, it falls under the prohibition of such actions.

In addition to these divine verses, prophetic traditions, such as the Hadith of 'Exaltation' from the Prophet (PBUH), emphasize that Islam is superior to all religions, and nothing can dominate it. Therefore, the ruling of prohibition on asylum cannot be restricted to a single verse; rather, this topic is addressed in numerous Qur'anic verses, accompanied by narrations. What must be considered is that after identifying the evidence for the prohibition of such asylum, its social and political consequences must also be examined to understand the reasoning behind these laws from various perspectives. Thus far, discussions have primarily focused on the topic of asylum and the rights of refugees. However, no research has been conducted specifically on the evidence supporting the prohibition of Muslim asylum to non-Muslims and its social and political consequences, a gap this study aims to address.

Upon close examination of the existing evidence in Islamic sources, particularly the Qur'anic verses, to determine whether the principle of Muslim asylum to non-Muslims is permissible or prohibited, we find that the fundamental principle is one of prohibition. This is supported by the following verses:

## 2. Evidence for the Prohibition of Muslim Asylum to Non-Muslims

Among the Qur'anic verses, there are clear prohibitions against Muslims being subjected to non-Muslim rule:

### 2.1. Qur'anic Verses

**a:** *"Let not the believers take disbelievers as allies rather than the believers. And whoever does that has nothing to do with Allah, unless you take precaution against them out of fear. And Allah warns you of Himself, and to Allah is the final return."* (Surah Al-Imran, 3:28)

The term "allies" (awliya) is the plural of "wali," which derives from the root "wilaya," meaning authority and support. For example, the "wali" of a minor, mentally incapacitated person, or a fool is someone who has the right to manage their affairs and property, while they

retain ownership of their assets, the management of which is entrusted to their wali. This is the fundamental meaning of the term "wilaya," although it has also been used in the context of love, due to the frequent involvement of a friend in the affairs of another friend (Al-Jawhari, 1985).

**Explanation:** A wali (guardian or protector) intervenes in the affairs of the one under their protection (mawla alayh) in response to their affection for them. The mawla alayh grants their wali permission to manage their affairs, drawing closer to them in the process. This relationship is influenced by their emotions and other psychological states. Consequently, the involvement of a loved one in the life of someone who loves them is never devoid of affection.

In numerous verses, the Qur'an repeatedly prohibits befriending disbelievers, Jews, and Christians. However, these prohibitions are accompanied by explanations that interpret the meaning of this prohibition and define the nature of the alliance that is forbidden, such as in the verse under discussion, which includes the phrase "rather than the believers." This phrase explains the statement, "Let not the believers take disbelievers as allies," emphasizing that the contradiction between disbelief and faith extends to the individuals who embody these traits (Tabatabai, 1997).

This verse was revealed at a time when Muslims had relations with polytheists, Jews, and Christians, and because continuing these relationships was detrimental to Muslims, they were prohibited from doing so.

In reality, this verse provides an important social and political lesson to Muslims: never accept foreigners as friends, supporters, or allies, and do not be deceived by their charming words or seemingly sincere expressions of affection, as history has shown that many believers have suffered heavy blows from such relationships (Makarem Shirazi, 1974). The phrase "rather than the believers" suggests that in social life, individuals need friends and supporters, but believers should choose their allies from among other believers. With believers available, there is no need to rely on disbelievers who may be ruthless and oppressive. The emphasis on faith and disbelief highlights that these two are incompatible and irreconcilable. The phrase "has nothing to do with Allah" indicates that those who form alliances with the enemies of God sever their connection with Allah and the God-fearing community.

As an exception to this general rule, the verse allows for precautionary measures out of fear, such as dissimulation (taqiyya), to safeguard the believer's life or interests. In conclusion, we are warned to fear the consequences of disobedience to God and reminded that the final return of all matters is to Allah (Makarem Shirazi, 1974).

**b.** *"And do not incline toward those who do wrong, lest the Fire touch you, and you will have no protectors other than Allah, then you will not be helped."* (Surah Hud, 11:113)

The ruling against inclining toward oppressive rulers, based on the verse *"And do not incline toward those who do wrong, lest the Fire touch you,"* has been interpreted as a prohibition against even a minimal inclination or tendency toward tyrannical rulers. Acts such as accepting positions or offices from an unjust ruler, befriending him, expressing satisfaction with his actions, or even wishing for his prolonged reign, no matter how short, are considered examples of this inclination. The meaning of "rukūn" in this verse refers to a slight inclination (Moqaddas Ardabili).

"Rukūn" refers to an emotional inclination and spiritual reliance, and if we were to translate it into modern Farsi, the term "giving one's heart" seems more appropriate (Khamenei, 1995). "Rukūn" implies a slight tendency toward something, accompanied by a sense of calmness or comfort with it. In this context, it means leaning toward an oppressor and feeling at ease with him. The rule of prohibiting inclining toward oppressors indicates that any form of reliance or inclination, even if slight, is forbidden, as evidenced by the verse *"And do not incline toward those who do wrong, lest the Fire touch you."* God's prohibition, accompanied by the threat of Hellfire and the denial of protection from divine guardianship, clearly indicates the impermissibility of even a minimal inclination toward tyrants. Greater degrees of inclination and cooperation with them would naturally be more severely prohibited (Al-Zamakhshari, 1988).

Many scholars interpret "rukūn" as an inclination of the heart, while some argue it refers to involvement in their oppression, satisfaction with their actions, or expressing affection toward them. Some narrations suggest that "rukūn" refers to love, goodwill, and obedience. Therefore, one should oppose tyrants and corrupt individuals because of their oppression and corruption and should not be pleased with their actions in any way. Moreover, without dissimulation (taqiyya) or a

legitimate religious interest, such as guiding them or protecting the believers from harm, one should not associate or express affection toward them (Yazdi, 1979).

The severity of the prohibition against inclining toward oppressors is indicated by the phrase *"lest the Fire touch you,"* showing that such inclination is considered a major sin (Najafi, 1986). "Rukūn" to oppressors refers to an emotional inclination and reliance on them, which can manifest as satisfaction with their oppressive acts, companionship with them, or any form of support. The term "rukūn" is derived from the Qur'an: *"And do not incline toward those who do wrong."* God warns the believers against such actions, as it implies both emotional inclination and approval of the oppressors' unjust deeds (Namazi Shahroudi, 2006).

Thus, inclining toward oppressors represents a form of trust and reliance born from a tendency toward them, whether it is in matters of religion, such as selectively presenting aspects of religion that favor the oppressors while withholding those that harm them, or in social life, by allowing the oppressors to interfere with and control religious communities and public affairs in a way that aligns with their desires. Moreover, such trust and affection can lead to further engagement with the oppressors, ultimately having detrimental effects on the personal or collective affairs of individuals.

In short, "rukūn" refers to coming so close to oppressors in religious or social matters that the proximity is accompanied by a form of reliance, thereby undermining the independence and purity of religion and compromising its effectiveness. This inclination ultimately leads to the truth being pursued through falsehood, or the revival of falsehood under the guise of truth, and in the end, this false revival leads to the destruction of truth (Tabatabai, 1997).

The basis for this interpretation is that God, in this verse, addresses both the Prophet (PBUH) and the believers among his followers. The shared responsibility between the Prophet and his followers involves preserving Islamic teachings, moral values, and traditions, as well as overseeing the governance of the Islamic community. Therefore, neither the Prophet (PBUH) nor his followers are allowed to incline toward oppressors in these matters.

It is also clear that these two verses serve as conclusions drawn from the stories of oppressive nations that were

destroyed by God for their injustices. The oppression of these nations was not limited to idolatry and polytheism; rather, one of their grave transgressions, for which they were condemned, was their support of tyrants. This led to widespread corruption on Earth, despite its prior state of righteousness, as the unjust traditions set by tyrants were officially adopted and followed by the people.

c. *"And never will Allah grant the disbelievers a way over the believers."* (Surah An-Nisa, 4:141)

The term *"jal"* in Arabic means "to place" or "to establish" (Qurayshi, 1991, Vol. 2, p. 38), and it refers to God's act of granting or allowing something (Asqalani, 1970, Vol. 11, p. 110). Regarding what is meant by *"jal"* in this verse, there are two main interpretations:

**First Interpretation:** *"jal"* refers to legislative rulings, meaning that God has not enacted any laws that would grant the disbelievers authority over the believers (Bojnourdi, 1998, Vol. 1, p. 188).

**Second Interpretation:** In addition to legislative rulings, *"jal"* also refers to natural law, meaning that God has not granted disbelievers dominance over believers in the natural order of things. Rather, believers always possess a form of superiority and dominance (Mousavi Khomeini, 1993).

**Believers and Disbelievers:** The verse explicitly states that God has not allowed disbelievers to have any form of dominance over believers. Here, the term *"believer"* refers to all those who profess the Shahada, or the testimony of faith. *"Believers"* in this context includes all Islamic sects, with the exception of those considered apostates (Amid Zanjani, 2014). On the other hand, *"disbelievers"* refers to those who adhere to religions other than Islam, or those who deny fundamental aspects of Islam despite identifying as Muslims.

**The Concept of Sabīl (Way):** The term *"sabīl"* in classical Arabic refers to "path," "dominance," "argument," "reproof," or "punishment" (Tarihi, 1983, Vol. 5, p. 391-392). While the primary meaning of *"sabīl"* is "path" (Raghib al-Isfahani), in most instances where it is used in the Qur'an, the term carries the underlying meaning of a way or path, sometimes referring to the path of guidance, such as in the verse: *"Indeed, he has strayed from the straight path"* (Surah Al-Baqarah, 2:108). At other times, it refers to a normal path, such as in *"And the needy and the traveler"* (Surah Al-Baqarah, 2:177). In some cases, it also refers to the path of deviation or transgression. In such contexts, *"sabīl"* may

indicate an inclination to commit injustice, as in *"But Allah has not made for you any way against them"* (Surah An-Nisa, 4:90). When *"sabīl"* is combined with the preposition *"ala"* (on/against), it often implies blame, reproach, dominance, or control, as seen in multiple Qur'anic verses (Amid Zanjani, 2014).

Thus, in the verse negating *"sabīl"* (dominance) over believers, the meaning of *"sabīl"* refers to dominance or control. According to Allameh Tabataba'i, the negation of *"sabīl"* means that the ruling is always in favor of the believers and against the disbelievers, and this will remain true forever, ensuring that the hypocrites will never achieve their evil goals. Ultimately, in all ages, victory belongs to the believers and defeat to the disbelievers (Tabataba'i, 1997).

### Imam Khomeini's Interpretation of the Verse of Negating Sabīl:

Imam Khomeini (RA) suggests that if we consider the preceding part of the verse, it might be argued that the phrase *"negating sabīl"* following *"then Allah will judge between you"* refers to the negation of *sabīl* in the Hereafter (Mousavi Khomeini, 1993). However, setting aside the beginning of the verse, based on interpretations of exegetical works, it becomes clear that *"sabīl"* generally refers to "path." Although *"path"* can be understood in various ways throughout the Qur'an, including literal and metaphorical senses, in the case of the negation of *"sabīl"* in this verse, the most likely meaning is a comprehensive negation of any form of *sabīl*. This implies that neither in natural law nor in legislative rulings has God allowed disbelievers to have dominance or control over believers (Mousavi Khomeini, 1993).

### Conclusion of Imam Khomeini's Argument:

In conclusion, Imam Khomeini (RA) asserts that the absolute negation of *"sabīl"* necessitates the negation of all forms of *sabīl*, both in natural law and in legislative rulings. Therefore, the interpretation of *"sabīl"* does not rely on a single meaning, as suggested by some scholars (Mousavi Khomeini, 1993).

## 2.2. Hadith

### a. Hadith of Superiority (Hadith I'tila):

Another evidence for the jurisprudential principle of negating the authority (*Sabīl*) of non-Muslims over Muslims is the "Hadith of Superiority (I'tila)." It is narrated from the Prophet of Islam (PBUH), who said:

*"Islam is superior and nothing is superior to it. The disbelievers are like the dead, they neither block inheritance nor inherit."* (Ibn Babawayh al-Qummi).

Islam always holds superiority and dominance over other schools of thought and nations, and nothing holds superiority over it. Disbelievers are like the dead, who neither prevent others from inheriting nor inherit themselves (Bojnourdi, 1998).

This hadith is considered reliable in terms of its chain of narration and is well-known among jurists. In terms of meaning, it is another affirmation of the principle of negating the authority (Sabīl) of non-Muslims over Muslims. The superiority and strength of Islam equates to the superiority and strength of its followers. Therefore, if Muslims practice this exalted Sharia, any path of influence or control by non-Muslims over them will be blocked.

#### **Allameh Tabataba'i's Perspective:**

Allameh Tabataba'i suggests a subtle point in his interpretation, stating that the absence of control and dominance by non-Muslims over Muslims, both in this world and the Hereafter, remains valid as long as believers adhere to the requirements of their faith (Tabatabai, 1997). As expressed elsewhere in the Qur'an: *"Do not weaken and do not grieve, for you will be superior if you are [true] believers."* (Al-Imran, 3:139)

In cases where Muslims are defeated by disbelievers, whether in military, cultural, economic, or other arenas, the cause must be sought in the lack of unity, negligence, laziness, and failure to fulfill their duties by Muslims and Islamic governments. This is because the divine law is consistent: if Muslims act as commanded by the Qur'an and the leaders of Islam, they will never be defeated by disbelievers.

In any case, the implication of the verse is clear regarding the jurisprudential principle under discussion: any ruling or action that leads to the dominance or influence of disbelievers over Muslims is prohibited and nullified according to Islamic law.

#### **Seyyed Kazem Yazdi's View:**

Seyyed Muhammad Kazem Tabataba'i, in his *Takmilat al-Urwat al-Wuthqa*, argues that, despite the generalizations and narrations encouraging benevolence and charity to non-Muslims, as well as the Qur'anic verse allowing such interactions, sitting and conversing with disbelievers is not forbidden. In fact, it may be commendable from the perspective of softening hearts

and encouraging them toward Islam. However, the prohibition mentioned in this verse refers to befriending those who are enemies of God and His Messenger:

*"You will not find a people who believe in Allah and the Last Day having affection for those who oppose Allah and His Messenger, even if they were their fathers or their sons."* (Al-Mujadila, 58:22)

Nevertheless, this prohibition is not absolute but pertains to the animosity these individuals hold against God and His Messenger (PBUH). Therefore, Yazdi argues that a Muslim can give charity to a disbeliever or even dedicate a charitable endowment for them (Tabatabai Yazdi, 1994).

However, based on other Qur'anic verses:

*"Allah only forbids you from those who fight you because of religion and expel you from your homes and aid in your expulsion, [forbidding] you from making allies of them. And whoever makes allies of them, then it is those who are the wrongdoers."* (Al-Mumtahina, 60:9)

When disbelievers adopt a hostile and domineering stance and rise against Islam and Muslims, or when they assist the enemies of Islam, Muslims are obliged to firmly stand against them and sever any form of affectionate or friendly ties (Makarem Shirazi, 1974).

As a result, based on the verses mentioned above, the validity of the jurisprudential principle of "negating Sabīl" (negating non-Muslim authority over Muslims) is well-established, and all jurists unanimously agree on its legitimacy.

The principle of negating Sabīl can also be substantiated through the words of the Imams (PBUH). Many narrations highlight the superiority and honor of Muslims over non-Muslims. One of the most important of these is the "Hadith of Superiority" narrated by Sheikh al-Saduq:

*"Islam is always superior and nothing can surpass it. Disbelievers are like the dead; they neither block others from inheritance nor inherit themselves."* (Ibn Babawayh al-Qummi)

This well-known prophetic tradition is cited in both Shi'a and Sunni sources with similar meanings (Namazi Shahrudi, 2006). The majority of Islamic jurisprudential sources also refer to this hadith.

#### **Analysis of the Hadith's Implications:**

The first part of this hadith, *"Islam is superior,"* signifies the continuous dominance of Islam and indicates that the laws of Islam are always aimed at granting superiority to



believers over disbelievers. The second part of the hadith explicitly negates the possibility of disbelievers holding dominance over Islam and Muslims. It declares that any action, relationship, or ruling that results in the dominance of disbelievers over Islam and Muslims is illegitimate and void (Amid Zanjani, 2014).

Thus, this hadith does not simply narrate a historical event but rather legislates a ruling and expresses the will of the Lawgiver that Islamic rulings ensure the superiority of Muslims over non-Muslims (Bojnourdi, 1998). Therefore, no law or action should, under any circumstances, allow disbelievers to have dominance over Muslims (Hosseini al-Maraghi, 1996).

In the context of proving the principle of negating Sabīl, some authors of jurisprudential principles have also referred to consensus and reason as supporting evidence, although these arguments have been disputed. Given the explicit evidence provided by the Qur'anic verse of negating Sabīl and the prophetic hadith, for the sake of brevity, we will refrain from discussing consensus and reason and instead refer interested readers to jurisprudential texts (Fazil Lankarani, 2004).

### 3. Political and Social Consequences of Muslim Asylum to Non-Muslims

#### 3.1. Social Consequences

Migration, as a social phenomenon, has a significant impact on the social dimension. Migrants, as they become familiar with their environment, exhibit various reactions. These changes, aimed at adapting and adjusting to their new conditions, can influence their decisions to stay or leave. Therefore, examining the consequences of such large-scale movements on migrants can clarify the main aspects of this reality.

The effects of migration on individuals are not uniform and may be influenced by various factors such as education, occupation, income, age, duration of residence, religion, religious perspective, and more. Migrants may attempt to detach from their former culture and, at the same time, strive to conform to the norms and religious practices of their host country.

It is undeniable that every social phenomenon brings with it both positive and potentially negative consequences, and migration is no exception. From a social perspective, the key issue in all migrations is the cultural differences between the place of origin and the

destination. All migrants, regardless of age, gender, or social class, face some degree of discrimination from the local population. Migrants often encounter various social reactions upon arrival, including hostility, loss of credibility, legal sanctions, and even violence from the host population. However, if they fill economic or educational gaps and contribute to the development of the country, they may be welcomed by local authorities. Despite this, discrimination often leaves a lasting negative impact on migrant behavior.

For migrant-hosting societies, this issue is well understood, yet racial, ethnic, and religious discrimination remains prevalent. Migrants often feel excluded and are less likely to adhere to societal values. As outsiders from distant regions with differing cultures, they experience cultural conflict, increasing the likelihood of deviating from the social and religious values of the host society. This highlights a crucial issue for Muslim asylum seekers, who may face religious pressure leading to forced or gradual religious conversion, a scenario strictly prohibited by Islam, as it paves the way for apostasy.

#### 3.2. Political Consequences

Fear and mistrust of migrants have led to the rise of anti-immigration political parties in several European countries. Many of these parties link social problems such as unemployment, poverty, and crime to migration. According to a report by the World Wide Web of Journalists, countries like the United States, Canada, and some South American nations have long accepted large numbers of immigrants. Citizenship in these countries is not based on ethnic or ancestral background, but in other nations, ethnicity and nationality are given particular attention.

Political concerns have been central to the European response to global migration (International Organization for Migration, <http://www.iom.int/>). Non-Muslim countries, often governed by anti-religious regimes that impose laws restricting religious activities or the expression of faith in the political arena, typically pursue policies against Islam. In such cases, seeking asylum in these countries amounts to accepting their laws and politically strengthening them. These countries frequently enact policies aimed at suppressing Islam and limiting its influence, and thus, seeking asylum there

would be akin to aligning with the enemies of God and Islam.

#### 4. Conclusion

After analyzing Qur'anic verses and referencing narrations, the conclusion is inescapable: based on three Qur'anic verses (Al-Imran 3:28, Hud 11:113, and An-Nisa 4:141) and a prophetic hadith, the principle of prohibiting Muslims from seeking the authority of non-Muslims is indisputable. The Qur'an's text is clear and its meaning beyond reproach. Failing to implement divine laws and commands not only brings religious consequences but also results in significant social and political repercussions, which directly contradict the philosophy behind the establishment of Islamic laws and governance. These repercussions undermine the image of Islam and Muslims by accepting conditions contrary to Islamic rulings and by strengthening the forces of disbelievers. Such submission, which leads Muslims to humiliation and participation in actions detrimental to Muslims and Islam, is entirely against the objectives of the divine law.

Therefore, this ruling is used as a basis, and the prohibition of Muslim asylum to non-Muslims is supported by irrefutable evidence. Failure to adhere to this ruling will result in divine punishment, while adherence becomes an obligation based on the ruling.

#### Authors' Contributions

Authors contributed equally to this article.

#### Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

#### Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

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