

People's Assembly of Syria

Between Reality and Shariah Obligation

(Translated)

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On Sunday, October 5, Syria held its first legislative elections since the ouster of the Assad regime. The elections did not include all Syrian provinces, particularly given the ongoing political deadlock in Sweida and the areas controlled by the Syrian Democratic Forces (SDF). The US is pushing to impose a new reality that serves its interests, and robs the revolutionaries of the fruits of their sacrifices.

In light of this issue, it was necessary to provide essential clarifications related to the reality of the Council, the Shariah ruling on participation in it, and the election of its members.

Firstly: The issue of people essentially electing a person or persons to represent them, and express their opinions is permissible in origin, under Islamic Shariah Law, whether it is in the so-called House of Representatives, the National Assembly, or the People's Assembly or Parliament. From this perspective, the representative is essentially an agent representing his or her constituents, expressing their opinions. Agency (wakalah) in Islam is a permissible Shariah legal contract, and therefore this aspect of elections is permissible.

However, the People's Assembly of Syria is a legislative body stemming from the democratic system on which the state is based, which places sovereignty in the hands of the people. This means that the people are the ones who establish regulations and laws, and the House of Representatives is the people's representative in enacting these laws. This system of democracy fundamentally contradicts Islam. Islam considers that legislation belongs to Allah (swt) Alone, and no one has the right to share in legislation. Allah (swt) says, ﴿إِنَّ الْحُكْمَ إِلَّا لِلَّهِ﴾ **“Indeed ruling is for none but Allah”** [TMQ Yusuf: 40]. Allah (swt) said, ﴿وَلَا تَقُولُوا لِمَا تَصِفُ أَلْسِنَتُكُمُ الْكُذِبَ هَذَا حَلَالٌ وَهَذَا حَرَامٌ﴾ **“And do not say about that which your tongues put forth falsely, “This is lawful and this is unlawful,” to invent a lie against Allah. Indeed, those who invent a lie against Allah will not succeed.”** [TMQ An-Nahl: 116].

Hence, sovereignty in Islam belongs to the Shariah, not to the people. Therefore, there is no legislative authority within the state apparatus in the Islamic system, except in the sense that it takes Shariah rulings from what is contained in Islamic Shariah Law. Although there is a Majlis, it is a representative body that expresses the demands and opinions of the people and holds rulers accountable. It has no legislative authority. Therefore, if a Muslim enters a parliament acknowledging and approving of this non-Islamic system, he is undoubtedly sinful.

Secondly: The problem is not limited to the Shariah prohibition of participating in such councils, which legislate instead of Allah (swt). Instead, they are merely symbolic bodies that have no real say in the decisions made by the current authorities in all Muslim countries. They are little more than a facade for the authorities' orientations and the decisions, visions, and dictates imposed by the states that control the country's politics. Consequently, their reality is an expression of the will of the authorities and those behind them, not the true will of the people. They are often

formed according to electoral laws tailored to the needs of the authorities, and surrounded by chains of fraud and restrictions. Their role is no more than to endorse the ruler's decisions and give them an institutional character. Therefore, they unanimously approve whatever the head of the authority or international powers dictates, even if it entails crushing the will of the people and plundering their wealth.

Third: Making the nationalistic and patriotic bonds the basis for governing, international relations, and the guardianship of people's affairs, instead of the bond of Islam, is a dangerous slippery slope, after Allah (swt) has honored us and carried us victorious to Damascus. Therefore, authority in Islam belongs to the Ummah, which chooses its ruler based on the Shariah Law of Allah (swt). Legislation, however, is the exclusive right of Allah (swt) Alone, with no partner in His rule. Sovereignty belongs to the Shariah not to the people, as is the case in democratic systems. It is incumbent upon our people in Syria to prioritize their sacrifices with the ruling governance of Islam, its justice, and its glory, under a state governed by the Shariah Law of Allah (swt), not by human whims and desires.

In addition to the above, the current political reality clearly indicates that the new People's Assembly will become a platform for enacting and enshrining international agreements that are disastrous for the Ummah, most notably the security agreement currently being discussed with the Jewish entity. It is expected that one of its first decisions will be to ratify this agreement and provide it with a false popular cover. Herein lies the danger of participating in this assembly, and any assembly like it, for it not only violates Islamic Shariah Law, but also serves as a dubious tool for legitimizing political actions that undermine the country's sovereignty and the fate of its people.

Therefore, we must recognize the sanctity of participating in such assemblies or electing those who will play the role of legislators, even if only formally. We must work to overthrow their false prestige after we have understood their reality, as we have explained. This assembly will work to legitimize actions and agreements that violate the Shariah Law of Allah (swt) that are politically unacceptable and illegitimate in Shariah, because this assembly will bless any step, whether towards legislation or towards approving a security agreement with the Jewish entity or normalizing relations with it, or any other matter, within the context of concessions and compromises.

If the People's Assembly of Syria proceeds as we have detailed above and abandons its role of accountability, enjoining good and forbidding evil, it will be nothing more than an extension of an authority that seeks to please international powers, rather than serve the interests of the people. This makes dealing with it or relying on it a betrayal of the great sacrifices made by the people of Syria in their revolution. Today's duty is to expose the falsehood of these formal institutions and to affirm that the country's future is not built through fake ballot boxes, or subservient assemblies, but rather through a sincere project emanating from the Deen of the Ummah that restores matters to their proper place and places legislative judgment in the Hand of Allah (swt) Alone.

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