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ESTABLISHING JUSTICE: A NATIONAL POLITICAL COVENANT FOR AMERICAN MUSLIMS

THE CONSTITUTION OF MADINAH: A BLUEPRINT FOR
AMERICAN MUSLIMS' POLITICAL ENGAGEMENT

Political Expert

"الآراء في هذا البحث تعبر عن رأي الباحث وليس بالضرورة عن رأي أمجا"

Opinions in this research are solely those of the author and do not represent AMJA.



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INTRODUCTION

Over the past 50 years, American Muslims' engagement in the US political system was fragmented, reactionary, and largely lacking in long term strategy and vision. Foreign policy crises and global conflicts involving Muslim majority nations, particularly in the aftermath of 911 and during the Arab Spring, have pre-occupied the immigrant Muslims, often due to familial and national ties (Mogahed & Chouhoud, 2017). Meanwhile, African American Muslims, who comprise nearly one-third of the U.S. Muslim population, have historically focused on domestic civic struggles rooted in systematic injustices that date back to slavery (Curtis, 2009).

The diversity within the American Muslim community has contributed to a fragmented political agenda. For many Muslims, domestic issues have often taken a backseat to foreign policy concerns affecting their countries of origin (Pew Research Center, 2011). Consequently, younger generations, especially U.S. born Muslims, struggle between inherited nostalgia for their parents' homelands and an institutional infrastructure focused primarily on worship and burial services, rather than civic empowerment (Greene, 2022).

The absence of a well-defined, Islamically rooted political vision has left American Muslims politically weak and marginalized. The Qur'an commands believers to "**stand firmly for justice**" even against themselves and kin (Qur'an 4:135), making political engagement a religious imperative. Thus, Muslim scholars, practitioners, and leaders must collectively lead the community toward a more empowered civic identity rooted in both Islamic values and American democratic principles (El Fadl, 2001).

Despite the presence of Muslims in America for over four centuries, dating back to enslaved West African Muslims forcibly brought to the colonies (Diouf, 1998), many critical questions remain unresolved within the community:

- Does Muslim identity conflict with patriotism and commitment to the U.S. as a homeland (Grewal, 2013)?
- Can Islamic values align with the U.S. Constitution?
- Which candidates or parties should Muslims support during elections?
- Is it Islamically permissible to hold public office or work in government (El Fadl, 2001)?
- What are Muslims' civic responsibilities toward fellow citizens?
- How should Muslims collaborate with non-Muslim organizations to advance communal goals (Mohamed, 2016)?
- How can American Muslims influence both domestic and foreign policies to promote global justice rather than perpetuate wars for economic and political domination?

In order to address these questions, a comprehensive analysis of the following is required:

- The internal challenges confronting the American Muslim community and their intersections with broader U.S. societal issues.
- The current political positioning of American Muslims, often shaped by their experiences as a religious and ethnic minority (Younis, 2022).

- The Islamic jurisprudence that frames political engagement as a religious obligation to establish justice (Qur'an 57:25).
- A practical and principled framework for civic involvement that enables American Muslims to exercise agency while remaining rooted in their faith.

The goal of this paper is to propose a national political covenant for American Muslims based on the Quran, Sunnah, and the Constitution of Madinah to define the political rights and responsibilities of American Muslims.

America's Past, Present, and Future

To understand the role of Muslims in American society, it is essential to examine the nation's historical trajectory, current condition, and future direction. The United States is a global superpower, the nucleus of the world's capitalist system, and possesses unmatched economic, scientific, and military capabilities. Its constitutional democracy, separation of powers, vast institutional architecture, and deeply entrenched lobbying and interest groups demand sophisticated, strategic engagement from those seeking meaningful change (Dahl, 2003; Gilens & Page, 2014). However, it is worth noting that America's rise has come at a significant moral cost.

Since the early 1600s, the nation has endured economic, political, and social upheavals. The Puritans fled persecution only to displace Indigenous peoples (Zinn, 1980). Though the American Revolution won independence, it failed to deliver liberty to enslaved Africans, Indigenous communities, women, and religious minorities (Wood, 1991). The Civil War, which claimed over 600,000 lives, was followed by systemic racial oppression through black codes, segregation, and Jim Crow laws (Alexander, 2010).

The 20th century brought further challenges. The Great Depression, two World Wars, Cold War-era conflicts, including Korea (1950-1953), Vietnam (1965-1973), Afghanistan (1979-1989), First Iraq War (1990-1991), post 9/11 wars, including second Iraq War (2003-2011), War in Afghanistan (2001-2021), engagement in proxy wars in Yemen, Somalia, Syria, Ukraine and Gaza, resulted in mass casualties and enormous expenditures (Chomsky, 2003). These interventions often prioritized geopolitical dominance over human dignity, while many Americans remained without sufficient access to healthcare, housing, or employment.

President Dwight D. Eisenhower's 1961 farewell address warned of the "military-industrial complex," referring to the influence of arms manufacturers on U.S. policy. This dynamic continues to shape foreign relations, even as the national debt exceeds \$37 trillion and safety nets are at risk of collapse (Eisenhower, 1961; Congressional Budget Office, 2024). As a response to segregation, Jim Crow laws, poverty and unemployment, Dr. Martin Luther King, Jr. led the Civil Rights movement of the 1950s and 1960s to demand social and economic justice for Black and Brown communities. Those efforts led to major reforms including the passage of the Civil Rights Act 1964, the Voting Rights Act of 1965, and the Medicare and Medicaid Act of 1965. However, since the passage of those reforms, democratic erosion, partisan polarization, voter suppression, and economic inequality have worsened. Money dominates politics, the middle class is shrinking, and civil rights protections are under attack. While partisanship and the domination of lobbying and special

interest groups are not new to American politics, the role of money in politics made it more difficult to enact meaningful reforms. A Pew Research Center survey highlights widespread concern over healthcare, immigration, and economic insecurity (Pew, 2023).

Examining US history, two main themes emerge:

1. The U.S. remains entrenched in costly wars that burden all citizens.
2. America's global dominance, economically, militarily, and culturally, shapes world affairs.

Each generation of American Muslims is religiously and morally obligated to participate civically and politically to influence the nation's direction. As history shows, America's trajectory often steers the world. For over four centuries, American Muslims have contributed to building and defending the U.S. through taxes, military service, and professional excellence. Now, the community must choose: either remain politically sidelined and allow others to dictate its future, or step forward to assertively shape policies that benefit all citizens while safeguarding its own future. Islam commands the latter, as justice is a divine mandate (Qur'an 5:8).

Internal and External Challenges Confronting the Muslim Community

Analyzing America's past, present, and future provides essential context for understanding the environment in which the Muslim community operates. To become a positive force for justice and inclusivity in American society, the Muslim community must evaluate its own historical development and current trajectory. A realistic assessment of the challenges and opportunities it faces is critical to identifying the most impactful areas for engagement, especially given the community's limited resources.

Islam's presence in the United States dates back to the early 1800s with the arrival of enslaved Africans, many of whom were Muslim (Diouf 49). Since then, the Muslim community has evolved through multiple waves. Three of the most influential were: the founding of the Nation of Islam in the 1930s, the arrival of Muslim immigrants in the early 1960s, and the transformation of the Nation of Islam into the American Society of Muslims under the leadership of Imam Warith Deen Mohammed from 1976 to 2003 (Jackson 91). These waves helped establish a foundational Muslim presence in America, including the creation of mosques, Islamic schools, funeral services, and national organizations.

Despite these important milestones, the community remains largely within its comfort zone, focused on essential services but hesitant to embrace a more influential role in fulfilling its divine mandate: to command good, forbid evil, serve fellow citizens, and work toward the establishment of justice (Qur'an 3:104). Several factors contribute to this limited engagement:

- Conflicted national identity, particularly among immigrants and their children, who may feel torn between loyalty to the U.S. and their countries of origin (Haddad 11).
- Fear of public engagement, rooted in traumatic experiences with authoritarian regimes.
- Lack of a unifying, inspiring vision grounded in Islam's core objective of establishing justice (Ramadan 157).

- Internal divisions based on culture, ethnicity, and foreign policy positions.
- Shallow understanding of Islamic identity and purpose, disconnected from the Qur'an, the prophetic example, and Islam's higher objectives (Auda 37).
- Limited professional representation in key fields such as politics, law, media, journalism, economics, and history.

The American Muslim community is also deeply affected by the broader political environment. According to research by the Institute for Social Policy and Understanding (ISPU):

- Roughly one-third of American Muslims live below the poverty line (Patel and Siddiqui 8).
- Eleven percent of young Muslims serve in the U.S. military (Patel and Siddiqui 10).
- Islamophobia and faith-based bullying remain prevalent.
- Regular mosque attendance is correlated with a stronger American identity.
- Political engagement, including voter registration, has slightly increased since 2016 (Patel and Siddiqui 14).

Improving the quality of life for all Americans, including Muslims, is a core Islamic mission (Qur'an 16:90). Yet, since 9/11, Muslims have been stereotyped, vilified, and exploited by politicians seeking to sway elections (Beydoun 72). While the Obama administration offered some openings for civic engagement, Trump's Muslim ban pushed many Muslims away from the Republican Party (Ali 206). More recently, Biden's support for the war on Gaza has disillusioned many within the community, though this discontent has not necessarily translated into greater Republican support. The political disengagement of the American Muslim community caused the community to remain politically marginalized and frequently courted during elections but rarely empowered to influence domestic or foreign policy. To push both political parties to uphold justice domestically and internationally, and to resist marginalization and discrimination, it becomes a religious obligation for Muslims to defend their rights and freedoms. This includes developing strategic action plans rooted in Islamic values such as justice, fairness, and equal treatment under the law (Qur'an 5:8).

Moreover, anti-Muslim sentiment continues to be fueled by organized campaigns from public and private institutions, media influencers, political groups, donors, and foreign actors who actively work to suppress Muslim political influence (Center for American Progress 4). While several Muslim organizations play leading roles in advocating for civil liberties and push against anti-Muslim propaganda, most are registered as 501(c)(3) or 501(c)(4) nonprofits and therefore face legal limitations on political activity, including the prohibition on engaging in political campaigns or fundraising for candidates (IRS). More encouragingly, since 2020, a growing number of American Muslims have run for and won local and state offices. Although still in its preliminary stages, this movement toward political empowerment is significant and needs to grow and be sustained.

To build on this momentum, it is essential that the American Muslim community cultivates mission-driven Muslims who are inspired by their faith and committed to the divine mission of justice and social reform. Through civic engagement, they can help improve the quality of life for all citizens while fulfilling the Qur'anic imperative to stand for what is right (Qur'an 4:135).

POLITICS: EVIDENCE FROM THE QURAN AND SUNNAH

Politics in Islam is a means of public service, and in the context of the US, it means leading and governing through local, state, and federal institutions. In a representative democracy, elected officials derive their authority from the electorate, ordinary citizens. However, many other actors such as corporations, lobbying groups, and civic organizations play a critical role in shaping public policy through advocacy, funding campaigns, lobbying, and litigation.

Given the centrality of capitalism in the U.S., political and economic systems are deeply intertwined. Interest groups, often representing private sector interests, have invested billions to influence legislation and elections to protect their financial interests. This dynamic has contributed to a political culture driven by greed, weakened consumer protections, and the concentration of wealth among the top 1%. The consequences are visible in widespread poverty, homelessness, unaffordable healthcare, inadequate housing, and global conflicts. These issues affect Muslims and non-Muslims alike. In an interconnected world, U.S. policies, both domestic and foreign, have significant global repercussions. For Muslims committed to advancing social and economic justice, religious freedom, and combating racism, political engagement becomes a religious obligation. American Muslims, therefore, must mobilize as a unified community to shape policies that uphold justice as a universal value that is inspired by Islam.

Islam mandates collective responsibility through the concept of *jama'ah* (community). Muslims in America are considered a minority, which complicates their political engagement in America's diverse and pluralistic society and presents both a challenge and an opportunity. The challenge: one on hand, Islam applies only to Muslims. On the other, U.S. laws apply to all citizens regardless of their faith. Therefore, Muslims political engagement cannot be based on applying Islamic laws to non-Muslims because religious coercion is prohibited in Islam. Since U.S. laws apply universally across religious lines, American Muslims' political engagement must consider:

- Political *ijtihad* (independent reasoning): utilizing *Usul al-fiqh* (principles of jurisprudence) to analyze political outcomes using the fiqh of balancing benefits and harms, fiqh of reality, fiqh of gradual change, and fiqh of priorities.
- Universal values of *maqasid al-shari'ah*: Preservation and protection of (1) religious freedom, (2) sanctity of life, (3) intellect (freedom of expression, affiliation, and assembly), (4) families, (5) property, and some scholars added (6) dignity.
- Universal Quranic principles and the prophetic political model of governance: to extract wisdom, rules, and precedence.

Currently, Islamic scholarship on political engagement in non-Muslim-majority societies is limited and often inaccessible in English. This gap has led to confusion, disunity, and inaction. Without clear guidance affirming political engagement as a religious mandate, many Muslims neglect the divine imperative to establish justice, command good, and forbid evil. However, the divine mandate to engage in politics raises an important question regarding the role of morality and ethics in shaping public policy in a majority non-Muslim secular pluralistic society: whose moral system should political parties utilize as a standard in formulating laws and policies?

The American political system is inconsistent in applying morality and ethics to politics. One could hypothetically argue that Utilitarian ethics should be utilized in a pluralistic secular political system; however, the reality is that both Utilitarian and Kantian ethics are used interchangeably by political parties depending on the policies being debated. For example, many Evangelical and Catholic legislators use Kantian ethics to prohibit abortions in the US based on their interpretation of the Bible; however, they use Utilitarian ethics to justify cutting funding for critical programs such as Medicaid and nutritional assistance programs due to fiscal concerns. Both political parties use different logics for their political stances.

Islamic ethics does not fully align with either utilitarianism or Kantian ethics, though it shares some features with both. Utilitarianism, developed by thinkers like Jeremy Bentham and John Stuart Mill, judges actions based on their consequences, with the morally right action being the one that maximizes happiness or minimizes suffering for the greatest number of people (Mill, 1863). While Islamic ethics does take consequences into account—especially through the principle of *maslahah* (public interest) in Islamic jurisprudence—it does not reduce morality to outcomes alone. In Islam, actions have inherent moral values derived from divine revelation, and certain actions remain impermissible even if they result in greater overall benefit (Kamali, 2008). For example, Islam prohibits injustice or the violation of divine commands, regardless of the potential utility. Thus, while both ethical systems care about societal welfare, Islam places limits on what can be done in its pursuit.

On the other hand, Kantian ethics, rooted in the philosophy of Immanuel Kant, emphasizes duty, rational principles, and the categorical imperative, which requires acting only according to maxims that could be universally applied (Kant, 1785/1993). It also highlights the importance of intention and treating individuals as ends in themselves rather than as means to an end. Islamic ethics resonates with this emphasis on intention (*niyyah*) and moral duty but diverges significantly in its foundation. Whereas Kant grounds ethics in autonomous human reason, Islam grounds morality in divine revelation (*wahy*). Muslims are obligated to follow the ethical teachings found in the Qur'an and Sunnah, which transcend purely rational calculations (Nasr, 2002). Therefore, while Islamic ethics contains elements reminiscent of both utilitarianism and Kantian ethics—such as concern for the common good and emphasis on sincere intention—it ultimately forms a distinct moral framework based on submission to divine will and the comprehensive guidance of Islamic law and theology (Rahman, 1982).

The lack of a clear full alignment between Kantian and Utilitarian ethics with Islam makes it difficult for American Muslims to engage in politics due to the moral ambiguity of policies and the fear of negative influences on their personal faith and commitment to Islam. This fear is reflected in frequently asked questions by American Muslims regarding the permissibility of political participation, collaboration with non-Muslim coalitions, and support for political candidates and parties. To address these concerns, Muslims must turn to the Quran and Sunnah for principled, context-sensitive answers. These sources provide the foundation for a coherent, values-based framework for civic and political engagement in the American context. The jurisprudence (*fiqh*) and the Constitution of Madinah Model sections of this paper will present the case for using Utilitarian ethics in shaping public policies in the US given the pluralistic nature of society.

Justice Is a Divine Mandate: Quranic Evidence

The Qur'an provides comprehensive guidance for all aspects of life, including individual conduct, family structure, worship, and community affairs. Among its most consistent themes is the divine mandate to establish justice on Earth in all aspects of life, advance the public good, forbid evil (fight against corruption and oppression), and reform societies. Justice is not simply a moral value in Islam, it is a divine obligation.

Islamic scholars have developed various branches of jurisprudence (*fiqh*) to address different spheres of life: *fiqh al-'ibadat* governs worship; *fiqh al-mu'amalat* addresses economic and social transactions; *fiqh al-usrah* regulates family matters. In the same tradition, a jurisprudence of politics is needed to understand and apply the Qur'anic imperative to establish justice through systems of governance.

While the Qur'an does not explicitly use the word "politics" (*siyāsah*), just as it does not use the word '*aqidah*' (creed), its principles of governance, accountability, and justice are woven throughout its verses. Below are examples that demonstrate the Islamic framework for political engagement grounded in justice:

This verse illustrates the importance of cultural, linguistic, and social familiarity in leadership. Just as prophets were sent from within their communities, American Muslims, particularly those born and raised in the U.S., must lead their communities through civic and political engagement without ambiguity about their belonging to or love for America as a homeland.

وَمَا أَرْسَلْنَا مِنْ رَّسُولٍ إِلَّا بِلِسَانٍ قَوْمِهِ لِيُبَيِّنَ لَهُمْ فَيُضِلُّ اللَّهُ مَنْ يَشَاءُ وَيَهْدِي مَنْ يَشَاءُ وَهُوَ الْعَزِيزُ الْحَكِيمُ (14:4)

Surah Ibrahim (14:4) We have not sent a messenger except in the language of his people to clarify 'the message' for them. Then Allah leaves whoever He wills to stray and guides whoever He wills. And He is the Almighty, All-Wise.

The purpose of divine revelation and prophethood is to establish justice on Earth. Allah SWT sent prophets and messengers as stewards of justice so that believers follow the divine guidance as implemented by prophets to establish justice and fight against corruption.

لَقَدْ أَرْسَلْنَا رُسُلَنَا بِالْبَيِّنَاتِ وَأَنْزَلْنَا مَعَهُمُ الْكِتَابَ وَالْمِيزَانَ لِيَقُومَ النَّاسُ بِالْقِسْطِ (57:25)

Surah Al-Hadid (57:25) Indeed, We sent Our messengers with clear proofs, and with them We sent down the Scripture and the balance 'of justice' so that people may administer justice.

Leadership on Earth is a divine assignment. Humanity was appointed as stewards (*khulafā'*) to uphold justice and prevent corruption.

وَإِذْ قَالَ رَبُّكَ لِلْمَلَائِكَةِ إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً قَالُوا أَتَجْعَلُ فِيهَا مَن يُفْسِدُ فِيهَا وَيَسْفِكُ الدِّمَاءَ وَنَحْنُ نُسَبِّحُ بِحَمْدِكَ وَنُقَدِّسُ لَكَ قَالَ إِنِّي أَعْلَمُ مَا لَا تَعْلَمُونَ (2:30)

Surah Al-Baqarah (2:30) Remember when your Lord said to the angels, "I am going to place a successive 'human' authority on earth." They asked 'Allah', "Will You place in it someone who will spread corruption there and shed blood while we glorify Your praises and proclaim Your holiness?" Allah responded, "I know what you do not know."

For example, Prophet Dawud (PBUH) was both a prophet and political leader, charged by Allah (SWT) to establish justice through sound governance.

يَا دَاوُودُ إِنَّا جَعَلْنَاكَ خَلِيفَةً فِي الْأَرْضِ فَاحْكُم بَيْنَ النَّاسِ بِالْحَقِّ وَلَا تَتَّبِعِ الْهَوَىٰ فَيُضِلَّكَ عَنْ سَبِيلِ اللَّهِ إِنَّ الَّذِينَ يَضِلُّونَ عَنْ سَبِيلِ اللَّهِ لَهُمْ عَذَابٌ شَدِيدٌ بِمَا نَسُوا يَوْمَ الْحِسَابِ (38:26)

Surah Sad (38:26) We instructed him: "O David! We have surely made you an authority in the land, so judge between people with truth. And do not follow 'your' desires or they will lead you astray from Allah's Way. Surely those who go astray from Allah's Way will suffer a severe punishment for neglecting the Day of Reckoning."

This verse acknowledges the pluralistic nature of human societies. Each community has its own legal and ethical system, and cooperation should be built on shared moral goals, especially the pursuit of justice.

فَاحْكُم بَيْنَهُم بِمَا أَنزَلَ اللَّهُ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ عَمَّا جَاءَكَ مِنَ الْحَقِّ لِكُلِّ جَعَلْنَا مِنْكُمْ شِرْعَةً وَمِنْهَاجًا وَلَوْ شَاءَ اللَّهُ لَجَعَلَكُمْ أُمَّةً وَاحِدَةً وَلَكِنْ لَيَبْلُوَكُمْ فِي مَا آتَاكُمْ فَاسْتَبِقُوا الْخَيْرَاتِ إِلَى اللَّهِ مَرْجِعُكُمْ جَمِيعًا فَيُنَبِّئُكُمْ بِمَا كُنْتُمْ فِيهِ تَخْتَلِفُونَ (5:48)

Surah Al-Ma'idah (5:48) We have revealed to you 'O Prophet' this Book with the truth, as a confirmation of previous Scriptures and a supreme authority on them. So judge between them by what Allah has revealed, and do not follow their desires over the truth that has come to you. To each of you We have ordained a code of law and a way of life. If Allah had willed, He would have made you one community, but His Will is to test you with what He has given 'each of' you. So compete with one another in doing good. To Allah you will all return, then He will inform you 'of the truth' regarding your differences.

Despite being unjustly imprisoned, Prophet Yusuf (PBUH) accepted political leadership in a non-Muslim society to administer justice and economic stability. This establishes a prophetic precedent for Muslims serving in public roles to advance justice, even in non-Muslim systems.

وَقَالَ الْمَلِكُ أَتُتُونِي بِهِ أَسْتَخْلِصُهُ لِتَفْسِي فَلَمَّا كَلَّمَهُ قَالَ إِنَّكَ الْيَوْمَ لَدَيْنَا مَكِينٌ أَمِينٌ (12:54) قَالَ أَجْعَلْنِي عَلَىٰ خَزَائِنِ الْأَرْضِ إِنِّي حَفِيظٌ عَلَيْمُ (12:55)

Surah Yusuf (12:54–55) The King said, "Bring him to me. I will employ him exclusively in my service." And when Joseph spoke to him, the King said, "Today you are highly esteemed and fully trusted by us." Joseph proposed, "Put me in charge of the store-houses of the land, for I am truly reliable and adept."

Justice is not conditional; it must be upheld even toward those who may be hostile. Muslims will testify on the day of judgment whether they stood firmly for justice. Justice is the closest thing to righteousness.

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ ۚ وَلَا يَجْرِمَنَّكُمْ شَنَاَنُ قَوْمٍ عَلَىٰ أَلَّا تَعْدِلُوا ۚ اعْدِلُوا هُوَ أَقْرَبُ لِلتَّقْوَىٰ ۖ وَاتَّقُوا اللَّهَ ۚ إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ (5:8)

Surah Al-Ma'idah (5:8) O believers! Stand firm for Allah and bear true testimony. Do not let the hatred of a people lead you to injustice. Be just! That is closer to righteousness. And be mindful of Allah. Surely Allah is All-Aware of what you do.

Justice must transcend personal, familial, and tribal interests.

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ وَلَوْ عَلَىٰ أَنْفُسِكُمْ أَوِ الْوَالِدِينَ وَالْأَقْرَبِينَ ۚ إِن يَكُنْ غَنِيًّا أَوْ فَقِيرًا فَاللَّهُ أَوْلَىٰ بِهِمَا ۚ فَلَا تَتَّبِعُوا الْهَوَىٰ أَنْ تَعْدِلُوا ۚ وَإِنْ تَلَوُّوا أَوْ نَعِرْضُوا فَإِنَّ اللَّهَ كَانَ بِمَا تَعْمَلُونَ خَبِيرًا (4:135)

Surah An-Nisa (4:135) O believers! Stand firm for justice as witnesses for Allah even if it is against yourselves, your parents, or close relatives. Be they rich or poor, Allah is best to ensure their interests. So do not let your desires cause you to deviate 'from justice'. If you distort the testimony or refuse to give it, then 'know that' Allah is certainly All-Aware of what you do.

Islam commands coalition-building with others who share the values of justice and righteousness even if they are not Muslim.

وَلَا يَجْرِمَنَّكُمْ شَنَاَنُ قَوْمٍ أَنْ صَدُّوكُمْ عَنِ الْمَسْجِدِ الْحَرَامِ أَنْ تَعْتَدُوا ۚ وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ ۖ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ ۚ وَاتَّقُوا اللَّهَ ۚ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ (5:2)

Surah Al-Ma'idah (5:2) Do not let the hatred of a people who once barred you from the Sacred Mosque provoke you to transgress. Cooperate with one another in goodness and righteousness, and do not cooperate in sin and transgression. And be mindful of Allah. Surely Allah is severe in punishment.

Corruption in governance affects everyone. Muslims must work to prevent systemic injustice not only for self-preservation but as a duty to society.

وَاتَّقُوا فِتْنَةً لَا تُصِيبَنَّ الَّذِينَ ظَلَمُوا مِنْكُمْ خَاصَّةً ۖ وَاعْلَمُوا أَنَّ اللَّهَ شَدِيدُ الْعِقَابِ (8:25)

Surah Al-Anfal (8:25) Beware of a trial that will not only affect the wrongdoers among you. And know that Allah is severe in punishment.

These verses, among many others, form the theological foundation for political participation. Justice is not merely a societal goal, it is a command from Allah (SWT). Reforming corrupt systems, participating in governance, and standing up against oppression are religious obligations, especially for those living in societies where political engagement is possible.

Prophetic Model

In addition to Qur'anic directives, the life of the Prophet Muhammad (PBUH) offers a rich model of political engagement rooted in Islamic values. His actions, strategies, and decisions demonstrate how Muslims can participate in civic and political life without compromising their faith. Central to the Prophet's mission was the pursuit of justice, the protection of rights, and the establishment of a secure and inclusive society.

- 1. Understanding Political Realities:** In the early years of revelation, the Prophet's call to Islam was conducted privately to protect the nascent Muslim community from persecution by Quraysh. This approach reflected an acute awareness of the political environment and the dangers posed by public opposition to entrenched powers.
- 2. Prioritizing Long-Term Benefit Over Short-Term Pain:** The Prophet (PBUH) bore witness to the torture of his companions, such as Bilal, Sumayyah, and Ammar, yet counseled patience. The Prophet (PBUH) was attacked by his own people who spat on him, threw the internal intestines and waste of animals at him, and plotted to kill him. Quraysh imposed a three-year social and economic embargo on the Prophet (PBUH) and his community at the "valley of Abu Talib." The Prophet (PBUH) explored migrating to "Al-Ta'if" seeking a new home to save Muslims, practice faith, and spread dawa. He was attacked severely. At that time, the Muslim community lacked the political power to respond effectively. His political strategy prioritized long-term growth over immediate confrontation.
- 3. Leadership, Planning, and Strategic Alliances:** The Prophet (PBUH) made supplications for strong leadership, specifically for the conversion of one of the two influential figures, Omar ibn al-Khattab or Abu Jahl, recognizing the importance of leadership talent and public influence. He also encouraged migration to Abyssinia, a Christian kingdom, due to the just governance of its non-Muslim ruler, thus establishing a precedent for seeking justice even under non-Muslim leadership.
- 4. Strategic Political Actions:** The Prophet (PBUH) negotiated the end of the civil war between the tribes of Aws and Khazraj in Madinah. He then built political alliances with various tribes to ensure collective security, placing a premium on internal peace and external defense.
- 5. Establishing Institutions for Justice:** After migrating to Madinah, the Prophet (PBUH) established Masjid al-Nabawi and secured water resources by purchasing a public well. These actions demonstrated the centrality of institutional and economic justice in community development.

- 6. The Constitution of Madinah:** Migrating to a new community is a major political decision that requires building a new community, new coalitions, new economy, and new life and new political arrangements with communities of different faiths, culture, civic fabrics, and power structures. The Prophet (PBUH) political actions included securing the commitment from a group of the Al-Ansar during their pilgrimage to Mecca, which became known as the pledge of Al-Aqaba. After the hijra, the Prophet (PBUH) focused on the political affairs of Madinah, which were regulated by the Constitution of Madinah.

Perhaps the most significant political document produced during the Prophet's leadership was the Constitution of Madinah. It ensured religious freedom, equal political rights, mutual defense, and a unified political identity among diverse religious and tribal groups. Importantly, Muslims were a minority in Madinah, yet led through moral authority and inclusive governance where Non-Muslims were entitled to justice as indicated in the Quran:

لَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِنْ دِيَارِكُمْ أَنْ تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ
الْمُقْسِطِينَ (60:8)

Surah Al-Mumtahanah (60:8) Allah does not forbid you from dealing kindly and fairly with those who have neither fought nor driven you out of your homes. Surely Allah loves those who are fair.

- 7. Justice in War and Peace:** The Prophet (PBUH) fought battles such as Badr, Uhud, and Khandaq to protect the community's right to practice faith and live with dignity. Even in warfare, he established strict ethical guidelines to protect noncombatants such as the elderly, children, women, and not to kill animals, cut trees, or destroy houses of worship.
- 8. Treaty of Hdaybiyyah – Political Pragmatism:** The Treaty of Hdaybiyyah exemplified long-term strategic thinking. Though it appeared to favor the Quraysh in the short term, the Prophet (PBUH) accepted its terms, including omitting the title "Messenger of Allah," delaying pilgrimage, and not accepting new reverts to Islam into Madinah, to secure peace and build strength. This strategic patience yielded immense benefit later.
- 9. Opening of Mecca – Mercy in Victory:** When Mecca was conquered, the Prophet (PBUH) forgave his former enemies and even honored leaders like Abu Sufyan. This decision, though not required religiously, reflected leadership, mercy, political pragmatism, and prioritized long-term societal reconciliation.
- 10. Lessons in Political Ethics and Strategy:** From the Prophet's example, we derive principles of prioritization (*fiqh al-awlawiyyat*), weighing harm and benefit (*fiqh al-maṣlaḥa wa al-mafāsīd*), engaging allies based on shared values, and recognizing the legitimacy of pluralistic governance structures.

His legacy affirms that political engagement, far from being a peripheral concern, is central to fulfilling the divine mandate of justice. His leadership model demonstrates how Muslims can act ethically and pragmatically within complex and pluralistic political systems.

The Constitution of Madinah: A Political Framework for US Muslims

The Constitution of Madinah, established by the Prophet Muhammad (PBUH) in 622 CE, represents one of the earliest formalized models of Islamic governance. It offers profound insights into managing a pluralistic society. The Constitution of Madinah emphasized three foundational principles: the rule of law, religious freedom, and political equality. Though Muslims were a minority in Madinah, the Prophet (PBUH) was both a religious leader for Muslims and a political leader for the broader society.

The Constitution of Madinah was built on consensus and inclusivity. It unified diverse tribal and religious groups, Muslims, Jews, polytheists, and others, under a shared political identity. Importantly, it maintained a clear distinction between religious and political authority: each faith group retained autonomy in religious practice, while all groups were bound by mutual responsibilities in civil matters such as security and justice.

First Theme – Rule of Law and Equal Justice

The Constitution of Madinah comprised forty-seven articles outlining the rights and duties of various tribes (Hathout 2006). Among its most important contributions was the establishment of the rule of law across tribal lines. Articles 13, 21, and 22 emphasize that criminal responsibility is individual, not collective, ensuring fairness and accountability. Article 47 affirms this by holding individuals accountable for their own actions, regardless of tribal affiliation.

Second Theme: Religious Freedom and Pluralism

Religious freedom is a central theme of the Constitution of Madinah. Article 25 recognized the Jewish community as a distinct *ummah* (community) with full rights to practice its faith. Article 20 acknowledged non-Muslim polytheists as part of the political community. Each group was responsible for internal governance such as ransom payments, conflict resolution, and district upkeep without state interference in their belief systems. This pluralistic model ensured peaceful coexistence while protecting each group's identity. Under the Constitution of Madinah, the Prophet (PBUH) did not create a Muslim state for Muslims, rather, he created a political government that protects all groups and their interests with the goal of mutual coexistence. This indicates that the Constitution of Madinah created an equal political identity for all citizens that is not based on faith.

Third Theme - Collective Security and Shared Responsibility

The security of Madinah was a top priority. Article 15 declares, "The security of God is one," affirming the equal protection of all citizens. Articles 17 and 18 mandated joint decision-making in times of war or peace and required mutual defense among the signatories. Article 44 outlined a collective military response against external threats.

Security thus became a shared civic duty, not a privilege based on religion or lineage.

Fourth Theme - Political Identity Beyond Faith

While religious identities were preserved, the Constitution of Madinah created a new political identity based on citizenship and mutual responsibility. This was a profound innovation: political belonging was not restricted to Muslims.

Article 25 states, "The Jews are one community with the believers," and the use of tribal names, rather than religious labels, was a practical tool to assign responsibility without stigmatizing entire faith groups for the actions of individuals.

Prophetic Wisdom: Lessons for American Muslims

The U.S. is a pluralistic nation where laws are passed by and for a diverse citizenry. Like Madinah, it is not governed by a single religious tradition. In such an environment, Islamic law does not obligate Muslims to enforce religious rulings on others. Rather, Muslims are called to uphold justice, advocate for the public good, and respect the religious freedoms of others. The Quran instructs the believers to engage wisely, with empathy and compassion:

ادْعُ إِلَى سَبِيلِ رَبِّكَ بِالْحُكْمَةِ وَالْمَوْعِظَةِ الْحَسَنَةِ وَجَادِلْهُمْ بِالَّتِي هِيَ أَحْسَنُ إِنَّ رَبَّكَ هُوَ أَعْلَمُ بِمَنْ ضَلَّ عَنْ سَبِيلِهِ وَهُوَ أَعْلَمُ
بِالْمُهْتَدِينَ (16:125)

Surah An-Nahl (16:125) "Invite to the way of your Lord with wisdom and good instruction, and argue with them in a way that is best. Truly, your Lord knows best who has strayed from His path, and He knows best who is guided."

فَبِمَا رَحْمَةٍ مِنَ اللَّهِ لِنْتَ لَهُمْ وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ حَوْلِكَ فَاعْفُ عَنْهُمْ وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ فَتَوَكَّلْ عَلَى اللَّهِ إِنَّ اللَّهَ يُحِبُّ الْمُتَوَكِّلِينَ (3:159)

Surah Al-Imran (3:159) "It is out of Allah's mercy that you 'O Prophet' have been lenient with them. Had you been cruel or hard-hearted, they would have certainly abandoned you. So pardon them, ask Allah's forgiveness for them, and consult with them in 'conducting' matters. Once you make a decision, put your trust in Allah. Surely Allah loves those who trust in Him."

In addition, the Quran highlights the importance of gentleness, mercy, and consultation, especially for leaders and callers to truth. The following verse emphasizes emotional intelligence, effective leadership, and compassionate da'wah.

فَبِمَا رَحْمَةٍ مِّنَ اللَّهِ لِنْتَ لَهُمْ وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ حَوْلِكَ فَاعْفُ عَنْهُمْ وَاسْتَغْفِرْ لَهُمْ وَشَاوِرْهُمْ فِي الْأَمْرِ فَإِذَا عَزَمْتَ فَتَوَكَّلْ عَلَى اللَّهِ إِنَّ اللَّهَ يُحِبُّ الْمُتَوَكِّلِينَ (3:159)

Surah Aal Imran (3:159) "So by mercy from Allah, [O Muhammad], you were gentle with them. And if you had been rude [in speech] and harsh in heart, they would have disbanded from around you. So pardon them and ask forgiveness for them and consult them in matters. And when you have decided, then rely upon Allah. Indeed, Allah loves those who rely [upon Him]."

We learn from the political actions of the Prophet (PBUH) that the Constitution of Madinah offers a model for Muslims to participate in a secular system, contribute to policies promoting fairness and equity, and build coalitions based on shared values.

Laws should be evaluated not by their conformity to Islamic jurisprudence for Muslims, but through the lenses of public harm and benefit, reality, gradual change, priorities, principles deeply rooted in Islamic legal tradition. The Constitution of Madinah provides a prophetic blueprint for American Muslims: to lead with justice, build alliances across faith lines, and uphold pluralism as a means to protect all communities. It empowers Muslims to be full political participants while remaining faithful to their religious principles

Given that there are more than 340 million citizens in the US, and Muslims make up about 1% of the population, it is unrealistic for American Muslims to single handedly influence the political system in the US. American Muslims can use the Constitution of Madinah as a framework to engage in the political system, influence legislation, help shape public opinion, build coalitions around the public good, and advocate for universal divine values and principles such as justice, equality, fairness, and freedom.

It is extremely important to acknowledge that local, state, and federal governments are not Muslim institutions that legislate laws that apply only to Muslims. Rather, these are secular, non-Muslim, institutions that legislate laws for the overwhelming non-Muslim majority. Therefore, following the model of the Constitution of Madinah, the policy issues pending before any governmental body in America can't be judged based on Islamic law because they mainly apply to non-Muslims; instead, these policy issues should be evaluated based on the fiqh of harms and benefits, reality, gradual change, and priorities.

Jurisprudence of Political Engagement

The Qur'an and the Prophetic model clearly affirm the central role of politics in achieving Islam's core objective: establishing justice, eradicating oppression, and protecting human dignity. However, translating this imperative into actionable strategies, especially within a non-Muslim-majority context like the United States, requires deep jurisprudential insight.

Even during the time of the Prophet (PBUH), the companions sometimes disagreed among themselves and, on several occasions, held opinions that differed from his. For example, some companions disagreed with the decision to confront the enemy outside of Madinah rather than defending the city during the Battle of Uhud. Others were initially opposed to the Prophet's acceptance of the Treaty of Hudaibiyah. In a similar vein, it is to be expected that American Muslims today may not unite around a single political strategy to safeguard the future of Islam and Muslims. This divergence is influenced by factors such as the community's diverse national origins, the absence of a unifying national leadership, and a limited understanding of the *fiqh* of political engagement.

Islamic law offers several methodological tools for this purpose. Through principles like the *fiqh of priorities*, the *fiqh of balancing harms and benefits*, the *fiqh of reality*, and the *fiqh of gradual change*, Muslims can engage in politics without compromising their religious values. In addition, In Islamic jurisprudence, a number of dynamic legal frameworks have been developed to balance the timeless principles of Sharia'ah with the evolving needs of societies. Among the most foundational are *fiqh al-maqāsid* (jurisprudence of higher objectives), *fiqh al-thawābit wa-l-mutaghayyirāt* (jurisprudence of fixed and variable elements), and *fiqh al-taysir wa-l-takhlīṣ* (jurisprudence of ease and facilitation). These approaches work together to maintain fidelity to divine revelation while allowing for contextual adaptation and societal advancement.

Fiqh of Balancing Harms and Benefits

This jurisprudence involves assessing actions based on their potential benefits and harms. The Qur'an addresses this directly. The following verse encourages ethical reasoning: even if something has benefits, it may be impermissible if the harm outweighs the good.

يَسْأَلُونَكَ عَنِ الْخُمْرِ وَالْمَيْسِرِ ۖ قُلْ فِيهِمَا إِثْمٌ كَبِيرٌ وَمَنْفَعَةٌ لِلنَّاسِ وَإِثْمُهُمَا أَكْبَرُ مِنْ نَفْعِهِمَا ۚ وَيَسْأَلُونَكَ مَاذَا يُنْفِقُونَ قُلِ الْغَيْرُ
كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ الْآيَاتِ لَعَلَّكُمْ تَتَفَكَّرُونَ (2:219)

Surah Al-Baqarah (2:219) They ask you 'O Prophet' about intoxicants and gambling. Say, "There is great evil in both, as well as some benefit for people, but the evil outweighs the benefit." They 'also' ask you 'O Prophet' what they should donate. Say, "Whatever you can spare." This is how Allah makes His revelations clear to you 'believers', so perhaps you may reflect.

Balancing harms and benefits should consider public perceptions and the societal relationship calculus with followers and other groups.

قَالَ يَبْنَؤُمْ لَا تَأْخُذْ بِلِحْيَتِي وَلَا بِرَأْسِي ۖ إِنِّي خَشِيتُ أَنْ تَقُولَ فَرَّقْتَ بَيْنَ بَنِي إِسْرَءِيلَ وَلَمْ تَرْفُضْ قَوْلِي (20:94)

Surah Taha (20:94) Aaron pleaded, "O son of my mother! Do not seize me by my beard or the hair of my head. I really feared that you would say, 'You have caused division among the Children of Israel, and did not observe my word.'"

While a certain action or political position may cause some harm, being patient with and tolerating short term harm to achieve long term benefit is permissible.

أَمَّا السَّفِينَةُ فَكَانَتْ لِمَسْكِينٍ يَعْمَلُونَ فِي الْبَحْرِ فَأَرَدْتُ أَنْ أَعِيبَهَا وَكَانَ وَرَاءَهُمْ مَلِكٌ يَأْخُذُ كُلَّ سَفِينَةٍ غَصْبًا (18:79)

Surah Al-Kahf (18:79) "As for the ship, it belonged to some poor people, working at sea. So I intended to damage it, for there was a 'tyrant' king ahead of them who seizes every 'good' ship by force.

From versus like the ones above, we learn that this type of fiqh requires the assessment of the scale, scope, impact, and outcome of decisions and actions that could bring both harms and benefits.

Political decisions often involve trade-offs. For example, legislation may contain both beneficial and harmful elements. Muslim engagement must be guided by a clear framework that prevents harms and maximizes benefits:

- **Evaluating Benefits:** The goal is to maximize long-term communal benefits over short-term individual gains. When confronted with a decision or action that yields benefits, we must aim to maximize those benefits. Long-term and more impactful benefits should take precedence over short-term, less significant ones.

Furthermore, communal benefit must be prioritized over individual gain, and where necessary, the individual can be compensated for not receiving the full benefit. A confirmed benefit is preferred over a perceived or speculative one. For example, during the negotiations of the Treaty of Hudaibiyyah, the Prophet (PBUH) accepted the removal of the phrases "*the Most Merciful, the Most Kind*" and "*Messenger of Allah*" from the agreement. Instead, the shortened phrase "*In the name of God*" was used, and he accepted the title "*Muhammad, the son of Abdullah*." The long-term benefit of upholding the higher objectives of Sharia'ah, such as preserving religion and life, took precedence over the symbolic benefit of asserting titles during the negotiation process.

- **Evaluating Harms:** The goal is to minimize harm when total prevention is not feasible. When a decision or action will inevitably result in harm and it is impossible to eliminate that harm entirely, we must prioritize minimizing it or choosing the lesser of two harms. Short-term harm is preferred over long-term harm, and individual harm may be tolerated to protect the well-being of the broader community or nation. Importantly, smaller harm must not be removed in a way that causes greater harm. It is preferred to avoid greater harm if it means tolerating a lesser one.
- **Evaluating Benefits vs. Harms:** The goal is to prevent or reduce harm and maximize benefits. If a decision or action results in both benefit and harm, we must strive to maximize the benefit while minimizing the harm. If the harm outweighs the benefit, then to the extent possible, the action should be avoided. If prevention is not possible, the focus must shift to harm reduction. However, if the benefits significantly exceed the harm, then the action or decision may be supported. For instance, budget bills or legislation at the local, state, or federal level may include billions of dollars in funding that benefits the broader community, while simultaneously underfunding a few less urgent programs. In such cases, supporting the legislation may be justified as it benefits the vast majority despite limited short-term harm. Likewise, if a piece of legislation causes short-term harm but promises long-term benefit, the short-term harm may be tolerated in pursuit of greater

outcomes. Moreover, harm may sometimes be tolerated if its removal would result in greater harm. Generally, under normal circumstances, preventing harm takes precedence over obtaining benefit.

Without a proper *fiqh* (jurisprudential understanding) of balancing harms and benefits, the Muslim community risks remaining weak, fragmented, isolated, and vulnerable. This type of *fiqh*, grounded in factual assessments, enables the community to make sound decisions regarding participation in coalitions with non-Muslims, entering agreements with groups that hold different value systems, participating in non-Muslim governments whose constitutions may not fully align with Islamic teachings, or supporting non-Muslim candidates who uphold justice and oppose tyranny. It also informs decisions around engagement in other fields such as establishing financial institutions in a global system that is dominated by interest-based transactions.

The life of the Prophet (PBUH) offers unambiguous examples of political engagement motivated by the pursuit of justice and liberty for all. His actions reflect a consistent application of the *fiqh* of balancing harms and benefits, as instructed in the Qur'an.

Assessing harms and benefits cannot be done in isolation, there must be a framework, rules, and a sound agreed upon approach that guides political *ijtihad* to ensure that the actions or decisions being made are permissible. This framework must include the following: *fiqh* of sharia'ah, *fiqh* of reality, *fiqh* of gradual change, and *fiqh* of priorities.

Fiqh of Sharia'ah

Political *ijtihad* must be rooted in a deep understanding of Quranic guidance and the objectives of Sharia'ah. Any assessment must rely on clear and compelling evidence. In Islamic jurisprudence (*fiqh*), the classification of human needs into Daruriyyat (urgent/essentials), Hajiyyat (necessities), and Tahsiniyyat (complementaries/luxuries) is a central framework used in the Maqasid al-Shari'ah (Objectives of Islamic Law). These categories establish a hierarchy of human interests, guiding legal reasoning (*ijtihad*) and policy formulation within an Islamic framework.

- Daruriyyat, or essential necessities, are the fundamental interests without which human existence would be untenable, and religion could not be properly observed. The Shari'ah is primarily concerned with preserving five core values, often referred to as al-Kulliyat al-Khamsa (the five universals): the preservation of religion (deen), life (nafs), intellect ('aql), lineage (nasl), and property (mal). The violation of these essentials leads to chaos, injustice, or the breakdown of society. Examples include the prohibition of murder to protect life, the obligation of prayer and fasting to preserve religion, the ban on intoxicants to safeguard intellect, the institution of marriage and prohibition of fornication to protect lineage, and the prohibition of theft to secure property. These are considered daruri because they ensure the survival and order of both individuals and society (al-Ghazali, 1997; Kamali, 2008).
- Hajiyyat, or necessary needs, refer to provisions that remove hardship and facilitate the ease of human life but are not as critical as the daruriyyat. If left unaddressed,

the absence of these needs may not lead to total collapse, but it would cause significant difficulty and strain. Shari'ah takes these into account by allowing flexibility and concessions. For instance, travelers and the sick are permitted to shorten or delay prayers and fasting; certain financial contracts like leasing (*ijarah*) are allowed to facilitate economic transactions; and dietary laws include exceptions in cases of necessity. These rulings reflect the Shari'ah's intention to accommodate the diverse circumstances of individuals and communities (Shatibi, 1997; Auda, 2008).

- Tahsiniyyat refer to the complementary or beautifying elements of life. These are not strictly necessary, but they enhance the quality, dignity, and morality of human existence. The tahsiniyyat aim to promote ethical refinement, cultural grace, and social decorum. Their absence does not lead to hardship or societal breakdown, but their presence uplifts human experience. Examples include encouraging cleanliness, wearing appropriate attire during prayer, using perfume for Jumu'ah, maintaining modesty and good manners, and building aesthetically pleasing mosques and institutions. These are manifestations of Islam's concern for inner and outer beauty, as well as moral excellence (*ihsan*) (Kamali, 2008; Auda, 2008).

This hierarchical structure of needs, essentials, needs, and complementaries, provides a flexible and comprehensive methodology for interpreting Islamic law in a manner that remains faithful to its objectives while being responsive to changing social realities. It underscores the dynamic and compassionate nature of the Shari'ah, which seeks to preserve human dignity, ease hardship, and promote well-being in all facets of life. It is worth noting that needs (*hājīyyāt*), although not essential in themselves, can be elevated to the level of essentials (*ḍarūriyyāt*) when neglecting them leads to harm or hardship similar to that caused by ignoring the essentials. This reflects the flexible and compassionate spirit of Islamic law, which seeks to eliminate hardship (*raf' al-ḥaraj*) and promote ease (*taysir*), which are among its overarching objectives.

Fiqh of Reality

Understanding context is crucial. Without grasping the societal, economic, and political landscape, leaders risk proposing ineffective or even harmful policies. Without this, leadership will either neglect the needs of their constituents or offer inadequate solutions. A notable example comes from the Caliph 'Umar ibn al-Khattāb (may Allah SWT be pleased with him), who suspended the punishment for theft during a time of famine. He recognized that the extraordinary conditions, beyond the control of ordinary people, made it unjust to impose the usual legal penalties. This is a clear example of an adaptation rooted in contextual necessity rather than legal rigidity and further confirms the essential role of government in supporting its people especially during crises.

Fiqh of Gradual Change

The *fiqh of gradual change* involves understanding the prerequisites, processes, and timelines needed for cultural and societal transformation. Social reform is rarely immediate.

Islamic history shows that change was introduced incrementally. The Qur'an itself employed a gradual approach to legislation, such as in the prohibition of alcohol.

Not all members of the community possess political awareness or understanding. The lack of knowledge regarding the different types of *fiqh* often leads to disputes and division. Failing to apply these insights leads the community to dismiss the political dimension of Islam, seeing it as either irrelevant or even prohibited. This neglect causes significant harm to American Muslims, rendering the community vulnerable to long-term marginalization and systemic injustice.

How can Muslims fulfill the core mission of Islam, to liberate humanity from oppression, establish justice, reform societies, and serve others without addressing and transforming the political systems that shape laws, allocate resources, and wield power across the globe? Today, American Muslims may encounter resistance, even within their own community, when advocating for political involvement. This necessitates a patient step-by-step strategy that includes public education, coalition-building, and community mobilization.

Fiqh of Priorities

Fiqh of priorities (fiqh al-awlawiyyat) refers to placing issues in their correct order of importance, based on their significance and impact. During the Meccan period, the Prophet Muhammad (PBUH) spent over a decade cultivating a generation of believers who would carry Islam to the world. The primary focus was on teaching *Aqidah* (creed) and *Tawheed* (belief in one God), prayers (*Salah*), moral character, kindness to parents, and building spiritual resilience. Despite enduring aggression, Muslims during that time were not commanded to destroy idols or confront idolaters. Instead, the Prophet (PBUH) was instructed to exercise patience and quietly call people to Islam, given the life-threatening hostility from the Quraysh leadership.

This *fiqh* teaches essential lessons:

- Voluntary worship (*naflah*) does not take precedence over obligatory acts (*fard*).
- Obligations upon individuals (*fard 'ayn*) outweigh collective obligations (*fard kifayah*).
- Community-wide urgent obligations take priority over personal individual duties.
- Time-sensitive obligations have higher precedence than those without time constraints.
- Urgent objectives in Islam take precedence over those that are merely necessary or complementary.

The *fiqh* of balancing harms and benefits is closely intertwined with the *fiqh* of priorities. Failure to integrate these with the *fiqh* of reality and *fiqh* of gradual change leads the community into regression and risks becoming irrelevant, fixated on secondary or surface-level disputes, and susceptible to external manipulation and harm.

By applying these principles, the Muslim community can achieve resilience and influence by engaging with people from all walks of life in a principled manner. The Qur'an reminds us that humanity is diverse: there are Muslims, hypocrites, People of the Book, and disbelievers. Among Muslims, some are uninformed, and others may even work against the community's interests. Likewise, among the People of the Book, some are friendly and

peaceful, while others actively oppose Islam. Therefore, deep knowledge of other groups will help Muslims build strong coalitions around high priority issues and balance competing realities wisely and effectively.

Fiqh of Higher Objectives

Fiqh Al-maqasid focuses on the overarching purposes behind Islamic legal rulings rather than their outward form. This framework is rooted in the classical understanding of *maqāṣid al-sharī'ah*, as articulated by scholars such as al-Ghazālī (d. 1111 CE) and al-Shāṭibī (d. 1388 CE), who categorized the ultimate aims of *Sharia'ah* into five universal necessities: the preservation of religion (*ḥifẓ al-dīn*), life (*ḥifẓ al-nafs*), intellect (*ḥifẓ al-'aql*), lineage (*ḥifẓ al-nasl*), and property (*ḥifẓ al-māl*) (Al-Shāṭibī, 1997). This approach promotes legal reasoning (*ijtihād*) that is attentive to public welfare (*maṣlaḥah*) and discourages legal formalism that may undermine the spirit of the law. It is especially relevant in contemporary contexts, where Muslims seek to harmonize Islamic principles with modern ethical and societal challenges, such as bioethics, financial regulation, or minority rights.

Fiqh of the Fixed and Variable

Fiqh of al-Thawabit wa-l-Mutaghayyirat offers a method for distinguishing between immutable tenets and flexible rulings within the Islamic legal tradition. The *thawābit* (fixed elements) include the core doctrines of faith and foundational acts of worship—such as belief in God, prayer, fasting, and the prohibition of major sins like usury and adultery. These elements are derived from unequivocal (*qaṭ'i*) texts and remain constant across time and place. Conversely, *mutaghayyirāt* (variable elements) pertain to issues influenced by time, place, custom, and necessity, such as political systems, economic practices, and social norms (Yūsuf al-Qaraḍāwī, 1994). This distinction empowers jurists to accommodate change while preserving essential Islamic values. Ibn al-Qayyim famously noted that "the rulings of the *Sharī'ah* change with the change of time, place, conditions, intentions, and customs" (Ibn al-Qayyim, 1991, p. 202), highlighting the importance of adaptability in legal application.

Fiqh of the Ease and Facilitation

Fiqh al-Taysīr wa-l-Takhlīṣ is derived from the Qur'anic verse, "*Allah intends for you ease and does not intend for you hardship*" (Qur'an 2:185). It promotes the removal of hardship (*raf' al-ḥaraj*) in legal implementation and embraces tools such as *rukḥṣah* (legal concessions), *istihsān* (juristic preference), *darūrah* (necessity), and *'urf* (customary practice). These mechanisms allow scholars to issue rulings that are more accommodating, especially in circumstances involving travel, illness, coercion, or new environments, such as when Muslims live as minorities in non-Muslim lands (Kamali, 2008). The application of *taysīr* does not aim to dilute Islamic teachings but to preserve their intent while recognizing human limitation and context. It underscores the Prophetic example of always choosing the easier option when both were permissible (Bukhārī, 2001, Hadith 6786).

Together, these fiqhi paradigms ensure that Islamic law remains rooted in divine guidance while being sufficiently flexible to address emerging challenges. They encourage a principled, purposive, and compassionate jurisprudence that upholds justice and mercy, hallmarks of Sharia'ah. In our time, they offer indispensable tools for rethinking Islamic ethics, legal policy, and civic engagement in diverse social and political settings. They also help avoid binary, absolutist thinking that either isolates the community or leads to compromising religious principles. Instead, they offer a path of principled, pragmatic engagement aligned with the example of the Prophet Muhammad (PBUH).

Proposing A Path Forward: A Political Covenant for American Muslims

Applying the Constitution of Madinah to US Public Policy

To fulfill Islam's mandate of enjoining good, forbidding evil, and establishing justice, American Muslims must move from theoretical affirmation to strategic action. The Constitution of Madinah provides a practical framework for such engagement. By applying its principles to contemporary issues, American Muslims can participate meaningfully in the public square while upholding Islamic ethics.

American Identity and Patriotism

Allah (SWT) created the entire earth, and everything belongs to Him. Therefore, national identity does not contradict religious identity. For example, a person may belong to a Muslim-majority nation led by a dictator and still maintain pride in both their faith and their national identity. The Prophet Muhammad (PBUH) loved Mecca and served its people despite their idolatry, and he wept when he was forced into exile. It is natural for individuals to affiliate with their nations and communities. Since Allah (SWT) sent messengers from within their own communities, American Muslims, born and raised in the United States, can serve the divine mission by committing to America as their homeland and to Islam as their life's purpose. Without this clarity, future generations of American Muslims risk becoming politically disengaged, lacking a sense of national belonging and the ability to translate their faith into public action for justice.

Abortion

Islam emphasizes the sanctity of life as a primary objective. In the U.S., policy debates about abortion are often shaped by Christian theological perspectives, with some Christian legislators seeking to impose their beliefs on the broader population. While Muslims share a commitment to protecting life, the political question is not where any particular religion stands on abortion, rather, it is whether the government or individual faith communities should regulate it.

Given the diversity of faith and non-faith communities in America, and the differing opinions even within Islamic jurisprudence, Muslims can support legislation that empowers individuals to follow their own religious or moral frameworks. This approach, in line with the Constitution of Madinah, supports religious freedom by allowing each community to abide by its own convictions.

State law should therefore leave abortion decisions to expecting mothers in consultation with medical professionals and, if desired, religious authorities. A woman undergoing cancer treatment, for instance, faces different risks and moral considerations than one with cardiovascular disease or other health complications. Imposing a uniform legal standard ignores such complexities and undermines the Constitution of Madinah's emphasis on justice and communal autonomy.

Political discourse often mischaracterizes supporters of reproductive autonomy as immoral or un-Islamic. To counter this narrative, Muslims must clarify that supporting religious freedom for all communities of faith, even when a specific law conflicts with Islamic guidance, should be prioritized because this action protects the highest objective of sharia'ah for Muslims and for other communities. Forcing the rules of any faith on a pluralistic society sets a dangerous precedent that may ultimately harm the Muslim community when others impose their religious doctrines in return.

LGBTQ+

Islam defines marriage as a union between a man and a woman and recognizes only two genders, male and female. LGBTQ+ relationships and activities are prohibited in Islam based on interpretations of the Qur'an, Hadith, and legal tradition (fiqh). The story of the people of Lut (Lot), cited in several Qur'anic passages (7:80–84, 26:165–166, 27:54–58), provides evidence of divine disapproval of same sex acts. Within the framework of Islamic jurisprudence, same-sex acts are considered major sins.

In the American legislative context, the question is not about Islam's stance on LGBTQ+ matters. Rather, it is whether a pluralistic society of majority non-Muslims should recognize the civil rights of LGBTQ+ individuals.

Apart from medical accommodations for intersex infants, political parties differ on how they address LGBTQ+ rights. Similarly, religious institutions vary in their level of acceptance or rejection of LGBTQ+ identities.

Islamic principles, when applied through the lens of the Constitution of Madinah, support equal political rights for all citizens. Disbelief in Allah (SWT), the gravest sin in Islam, did not disqualify people in Madinah from legal protections as long as they honored their commitments to society.

Therefore, supporting the **political and legal rights** of LGBTQ+ individuals, while violates Islamic law for Muslims, is a position that aligns with the Constitution of Madinah in granting equal civil and political rights to all residents of Madinah including idol worshipers (even though *Shirk* is the highest sin in Islam). Applying the fiqh of reality, gradual change, and balancing harms and benefits, supporting equal political, civil, and legal rights for all citizens regardless of their race, ethnicity, nationality, gender, or sexual orientation is supported by the Constitution of Madinah. Opposing equal rights for any group of citizens, including LGBTQ+ individuals, risks losing freedoms for American Muslims in the form of restricting Islamic practices such as wearing hijab, establishing mosques, or operating Islamic institutions such as schools and universities.

The LGBTQ+ community has existed throughout history, as illustrated in the Qur'anic account of Prophet Lot (PBUH). The Constitution of Madinah was built upon inclusive principles that respected all groups' political freedoms, including disbelievers, people of the book, or even nonpracticing Muslims. Thus, in a pluralistic society where Muslims are a minority, Muslims can politically support the legal and civil rights of the LGBTQ+ under civil law while maintaining religious convictions, as long as such support advances justice and protects communal rights for all.

Immigration

Immigrants and enslaved peoples built the United States. Immigration has been politicized for many centuries, from slavery to xenophobic laws to the recent Muslim Ban. Every nation has the right to secure its borders, but America's immigration system is in dire need of reform.

While supporting lawful immigration, American Muslims should advocate for a more compassionate, efficient, and nondiscriminatory immigration system. For the eleven million undocumented immigrants, including children who were brought to the USA and known as DACA recipients (Deferred Action for Childhood Arrivals), a humane path to citizenship is necessary to preserve family unity and reflect pragmatic governance. Islamic jurisprudence, through the "fiqh of reality," supports minimizing harm and promoting societal well-being. Thus, American Muslims can endorse immigration reforms that secure borders, streamline legal entry, and provide stable residency for those who have long contributed to the nation's fabric.

Gun Ownership

Protecting human life is one of Islam's primary objectives. In 2022 and 2023, 48,204 and 46,728 individuals were killed by gun violence in the U.S. Preventing criminal access to firearms should be a top priority. The Muslim community, and its elected representatives, should advocate for common-sense gun regulations that ensure responsible ownership. High impact weapons such as automatic firearms that are mainly used in militarized conflicts should primarily be restricted to law enforcement and authorized agencies for public safety purposes. Islam does not prohibit gun ownership, rather, Islam requires the responsible use of any tool or weapon to ensure human safety.

Wealth Concentration

Islam promotes economic justice, fair trade, and responsible business practices. It condemns greed, monopolies, and exploitation. In 2023, the top 1% of Americans controlled nearly 30% of the nation's wealth, around \$43 trillion.

The Qur'an denounces hoarding wealth without benefiting society, and the Prophet (PBUH) opposed monopolistic practices. Economic justice is a key objective of Islam that is reflected in Zakah, the distribution of wealth to eliminate poverty, and the encouragement of responsible trade and business that brings benefits to the community. Muslims should

support policies that encourage economic equity, discourage corporate exploitation, and promote fair wages and wealth-sharing mechanisms.

Foreign policy

Foreign policy decisions in the United States have long-term implications for peace, justice, and human welfare globally. Historically, US foreign policy has been driven by strategic interests, often influenced by the military-industrial complex, economic dominance, and geopolitical alliances. This has led to wars, occupations, sanctions, and support for authoritarian regimes, often in Muslim-majority nations, under the justification of national security or control and access to precious resources such as gas and oil, minerals, water and food.

The Constitution of Madinah provides an important precedent for how a pluralistic society under Muslim leadership can engage with other political entities. The Prophet (PBUH) formed treaties with various tribes, including non-Muslim and even adversarial groups, based on shared interests of peace and security. These alliances were not based on faith alone, but on the commitment to justice, security, and mutual respect.

Applying this to US foreign policy, American Muslims, especially those in public office, should champion a foreign policy rooted in the values of peace, restraint, diplomacy, and human dignity. This includes:

- Opposing unjust wars and occupations.
- Promoting non-militaristic aid to conflict regions.
- Supporting democratic movements and the human rights of oppressed people.
- Supporting human rights and due processes and rejecting the unjust use of lethal weapons (ex: drones), assassinations, indefinite detention, and torture.

American Muslims can influence foreign policy by supporting elected officials who oppose militarism, advocating for congressional oversight of arms deals, and engaging in coalitions that demand accountability in international relations. The Constitution of Madinah reminds us that treaties and foreign engagement must uphold justice and protect the rights of all communities, especially the vulnerable.

Building Coalitions with Non-Muslims

A foundational principle of the Constitution of Madinah was political partnership across faith lines. It recognized Jews, pagans, and Muslims as equal citizens under one social contract so long as justice and mutual protection were upheld.

In the U.S., where Muslims are a minority, coalition-building is both necessary and strategic. These alliances should aim to advance justice, oppose oppression, and protect shared values. Coalitions may include:

- Black churches and civil rights groups, with whom Muslims share a common legacy of being targeted by systemic racism.

- Latino immigrant organizations, who fight for humane immigration policies.
- Christian and Jewish communities who work to end Islamophobia and advocate for peace.
- Justice organizations, who may not share Islamic beliefs, but support policy positions aligned with the maqasid (objectives of Sharia'ah), such as affordable healthcare, economic justice, and environmental protection.

These partnerships must be rooted in mutual respect, shared values, and principled compromise. Muslims must not adopt every policy position of these groups uncritically but should evaluate each issue using the fiqh of harms and benefits, the fiqh of priorities, and the prophetic model of engagement.

The Prophet (PBUH) demonstrated in Madinah that cooperation with non-Muslims was not only acceptable but essential to building a just society. American Muslims must reclaim that legacy by building strong, principled coalitions that work toward the public good.

By applying Islamic principles pragmatically and ethically, American Muslims can become a force for justice and reform. Political engagement is not a departure from faith, it is a fulfillment of it.

A Call to Action: Urgent Appeal to All American Muslim Communities

The preceding analysis makes one truth abundantly clear: political engagement is not optional for American Muslims, rather, it is a religious, moral, and civic imperative. Building a just society that protects the rights of all and reflects the divine values of justice, compassion, and accountability requires initiative-taking, organized, and values-driven action from every segment of the Muslim community.

The following recommendations outline key areas of action for different segments of the Muslim community:

Political Advocacy and Establishing PACs

One of the most powerful ways for Muslims to engage in politics is through electing like-minded candidates to local, state, and federal offices. Political Action Committees (PACs) can raise funds, endorse candidates, and engage in supporting or opposing candidates. Ideally, every Muslim community across America must establish a PAC to engage in the political campaigns process.

Recommendations

- Form Muslim-led PACs at local, state, and national levels.
- Support candidates, Muslim or non-Muslim, who champion justice, equity, and civil liberties.
- Fund voter outreach, civic education, and public campaigns to protect religious freedom, civil rights, and oppose unjust policies.

Education and Career Development in Public Fields

America is a nation of institutions. In order for Muslims to become influential, we must cultivate Muslim experts in critical fields to engage in governmental work at all levels.

Recommendations

- Encourage high school and college students to pursue degrees in political science, public policy, public affairs, not for profit and government management, finance and economics, law, journalism, media & communications, international relations, foreign services, public safety and national security.
- Offer community-funded scholarships for those entering these fields.
- Establish internship pipelines with elected officials, policy think tanks, and public service offices.

Imams, Religious Leaders and Institutions

We must reclaim the prophetic voice by teaching that civic participation is a form of da'wah and a means of fulfilling the Qur'anic command to enjoin good and forbid evil. We must address political and social issues with knowledge, compassion, and courage. And we must ensure that our Imams do not discourage people from engaging in politics.

Recommendations

- Incorporate khutbahs and halaqas about Islam's mandate to answer the call of God by serving fellow citizens, to engage in politics to advance justice and fight against oppression, to inspire all Muslim to follow the prophetic model of serving others.
- Partner with civic organizations to educate congregations on how to vote, advocate, and participate.
- Issue joint statements with other faith leaders on key justice issues (e.g., racism, war, immigration).

Philanthropists and Wealthy Muslims

Fund think tanks, media platforms, PACs, voter outreach programs, and youth leadership initiatives. Use Zakah under the category of "fi sabilillah" to support causes that protect the rights and dignity of the Muslim community.

Recommendations

- Invest in Muslim think tanks, PACs, and media platforms that shape policy and public opinion.
- Fund Muslim-run polling firms and research institutions that provide data to influence lawmakers.
- Dedicate resources to policy incubators that train future leaders.

Zakah as a Source to Fund Political Activity

It is estimated that American Muslims pay \$1 Billion annually in Zakah. Dedicating 5-10% of Zakah to support political work under the category of "fi sabilillah" will transform and strengthen the Muslim community's political influence.

Recommendations

- Use Zakah funds to support civic institutions that:
 - Protect Muslim rights both domestically and abroad.
 - Fight Islamophobia.
 - Serve the poor and vulnerable through policy reforms.
- Educate scholars and donors about Zakah eligibility for civic justice work, especially under the category of "*fi sabilillah*" (in the cause of God).

Personal Development: Every Muslim's Role

Developing mission driven, experienced, and well-educated political leaders who have deep knowledge of Islam and society will ensure that our political work is guided by Islamic values and jurisprudence of political engagement.

Recommendations

- Know your local, state, and national representatives.
- Register and vote in every election, primary and general.
- Join school boards, PTA, neighborhood councils, or advocacy coalitions.

Running for Public Office

In order to influence the direction of our nation, we must have Muslim Americans serve in critical positions of leadership. We cannot reform and improve the political system as outsiders. We must serve patriotically with the goal of serving our nation and fellow citizens so that everyone lives in a more just and fair society.

Recommendations

- Identify and mentor qualified Muslims to run for:
 - School boards
 - City councils
 - State legislatures and Statewide offices (ex: Secretary of State, Governor)
 - Congress
- Provide campaign training, legal guidance, and community fundraising to support their efforts.

Building Coalitions of Justice

Given that the Muslim community is a minority, we cannot reform the political system by ourselves. Therefore, we must build coalitions and alliances to collaborate with other communities on advancing just causes.

Recommendations

- Form alliances with organizations focused on shared values, including:
 - Black churches
 - Latino organizations
 - Interfaith coalitions
 - Labor unions
 - Civil rights groups
- Focus on shared causes: ending mass incarceration, fighting poverty, protecting the environment, and advocating for peace abroad.

Interfaith Civic Engagement: Role of Masjid and Islamic Schools

Across America, religious institutions play a critical role in serving their communities. The engagement of the masjid with their surrounding communities, elected officials, and other civic and religious organizations will normalize the presence of the Muslim community in public affairs. In addition, it will create a pathway for many Muslims to use their skills to engage in civic, charitable, and social work.

Recommendations

- Host candidate forums, policy education nights, and voter registration drives.
- Teach civic responsibility as part of Islamic education.
- Empower masjid to be centers of civic engagement, not just ritual worship.
- Join houses of worship from other faith communities to support causes such as feeding the hungry, serving the elderly, and taking care of the environment.
- Establish social and civic engagement committees for each masjid to focus on building meaningful relations with elected officials and civic organizations.
- Work with Christian, Jewish, Sikh, Hindu, and secular organizations to:
 - Promote religious freedom
 - Combat bigotry and hate crimes
 - Advocate for equitable laws
- Share the Islamic perspective on justice through joint service projects and educational programs.

FINAL APPEAL

Now is the time to act. Political passivity is no longer an option. American Muslims must lead with courage, clarity, and conviction. Our safety, dignity, and future depend on our ability to shape policies, influence narratives, and cultivate leaders who are rooted in faith and committed to public service.

Let this be a turning point. No longer can the Muslim community afford to be politically passive or fragmented. We must act, not just for ourselves, but as a moral voice in American society. The Prophet (PBUH) did not only pray for justice, he organized, negotiated, sacrificed, and built coalitions.

The time for hesitation is over. The community's safety, dignity, and future depend on its ability to influence laws, shape narratives, and cultivate leaders who fear God and serve humanity.

As the Prophet (PBUH) said, "Each of you is a shepherd, and each of you is responsible for his flock."

We must rise with vision, lead with principle, and serve with humility. Political engagement is not a luxury, it is a divine trust. Let us reclaim our prophetic legacy and contribute to a just and compassionate society for all.

Let us rise with wisdom, unity, and purpose.

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