224475 - Ruling on a Muslim travelling to the land of disbelief to settle and reside there

the question

I am from Pakistan and I want to settle in New Zealand. The main reason for that is to save my life, because life in Pakistan has become very difficult. There are bombings, murders, theft, burglaries, banditry, and political and religious assassinations, and so on. I know that it is not permissible for a Muslim to settle in a non-Muslim country, especially for those who are religiously committed and try to adhere to the Qur'an and Sunnah. What is the Islamic view in a case such as mine?

Detailed answer

Praise be to Allah.

Firstly:

With regard to a Muslim residing in the land of disbelief, the scholars have stated that in principle it is not permissible, for the following reasons:

1.

There are hadiths from the Prophet (blessings and peace of Allah be upon him) which state that it is not allowed for a Muslim to reside in the land of disbelief, and it is enjoined to leave and depart from the disbelievers. Such hadiths include the following:

It was narrated from the Messenger of Allah (blessings and peace of Allah be upon him) that he said: "I disavow every Muslim who resides among the mushrikeen."

Narrated by Abu Dawood (2645) and at-Tirmidhi (1604). Classed as saheeh by al-Albaani in Irwa' al-Ghaleel (5/29-30)

It was narrated that Abu Nukhaylah al-Bajali said: I came to the Prophet (blessings and peace of Allah be upon him) when he was accepting oaths of allegiance, and said: O Messenger of Allah, give me your hand so that I may swear allegiance to you, and stipulate conditions for me, for you know best. He said: “I accept your oath of allegiance on the basis that you will worship Allah alone, establish prayer, give zakaah, be sincere towards the Muslims and depart from the mushrikeen.” Narrated by al-Nasai (4177); classed as saheeh by al-Albaani in Silsilat al-Ahaadeeth as-Saheehah (2/227).

2.

In the lands of disbelief at the present time there is a great deal of immorality and they have to extremes in that, to the extent that it has become something ordinary and common among them, and no one denounces that among them but they criticise him. If the Muslim travels to such a country to live there, he is exposing himself to temptation and immorality.

Secondly:

Travelling and settling in the land of disbelief has only been prohibited because it is a means that leads to corruption, as mentioned above, either the corruption of whims and desires and immoral deeds, or the corruption of religious commitment in general, in the sense that he may be tempted away from his religion and move to another religion.

It is well established that if something is prohibited because it is among the ways and means that lead to what is prohibited, it may be permitted in the case of necessity.

Shaykh al-Islam Ibn Taymiyah (may Allah have mercy on him) said:

Whatever is disallowed so as to block the means that may lead to something prohibited, not because it is wrong in and of itself, may be allowed if a clear interest may be served by that.

End quote from Majmoo‘ al-Fataawa (23/214)

This case – i.e., where a clear interest may be served – may be illustrated in our case here as

being when two important conditions are fulfilled with regard to the one who wants to travel to the land of disbelief and settle there:

the first condition is that he should be able to practice his religion and perform its rituals openly, and he should think it most likely that he will be safe from specious arguments and whims and desires that are easily available there.

The second condition is that there should be a real interest to be served by his travelling and settling in the land of disbelief, that cannot be achieved in the Muslim world, such as seeking important knowledge that is not available in Muslim countries, or calling people to the religion of Allah, and so on.

Shaykh Ibn ‘Uthaymeen (may Allah have mercy on him) said:

Travelling to the land of the disbelievers is not permissible unless preconditions are met:

1. That the individual should have sufficient knowledge to ward off specious arguments

2. that he should be religiously committed so as to ward off whims and desires

3. that he should have a need to do that.

If these conditions are not met, then it is not permissible to travel to the land of the disbelievers, because of what that involves of temptation or the fear of temptation.

End quote from Majmoo‘ Fataawa ash-Shaykh Ibn ‘Uthaymeen (6/131-132)

What appears to us to be the case – and Allah knows best – is that urgent need is not applicable in your case, because from what you mentioned there does not seem to be any urgent need or necessity that would push you to go and settle in the land of disbelief. These incidents that you mention, even though they may be many, have not – as far as we know – reached such a level that life in Pakistan has descended into utter chaos. So long as there are still many safe places inside Pakistan, the Muslim may move from a city that is less safe to another that is more safe.

But if it so happens that an individual is no longer safe, in terms of his life for his religious commitment, in his own country, and it is not possible for him to live safely in any part of the Muslim world, then there is nothing wrong with him moving to a place where his religious commitment, his life, and his family may be safe, even if that is in the land of the disbelievers.

In fatwa no. 13363 we have discussed some important details about this matter.

And Allah knows best.