



TABAH ANALYTIC BRIEF | NO. 15 | 2016

THE PUBLIC UNDERSTANDING OF ISLAMIC SCHOLARSHIP IN SOCIETY

*Addressing the Faux Fatwa Fightion
Addiction*

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THE PUBLIC UNDERSTANDING OF ISLAMIC SCHOLARSHIP IN SOCIETY:
ADDRESSING THE FAUX FATWA FICTION ADDICTION

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✎ The *Tabah Analytic Briefs series* aims to empower Tabah clientele – Shari'ah scholars and Muslim opinion leaders – with background information and critical analysis of contemporary events and debates. Each brief is a concise introduction to a concept or topic relating to culture and social change in the global community. The purpose of this series is to provide vital information that will assist scholars and policy makers in formulating a clear conception of the "Shared Public Space", developing an informed discourse, and mediating the challenges facing the Muslim world today.

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THE PUBLIC UNDERSTANDING OF ISLAMIC SCHOLARSHIP IN SOCIETY

Addressing the Faux Fatwa Fightion Addiction

Subject: Contributing to the public understanding of Islam, Muslims, and Islamic scholarship in society by improving the quality of Islamic discourse conveyed through digital mass and social media.

Significance: The types of Islamic legal material that tend to spread through public digital media (whether it be mass media or social media) convey information that misrepresents Islamic scholarship. This misrepresentation leads to negativity towards Islam and Islamic scholarship. Addressing these misrepresentations and fostering the public understanding of Islamic scholarship fall within the overall objectives of Islam and fall within the principle of commanding the right and forbidding the wrong.

Executive Summary: Digital mass and social media are two popular venues for Islamic discourse. If we look at examples of legal rulings which spread widely through digital mass and social media, we quickly notice that the material is almost always something that Islamic legal scholars do not themselves recognize as legitimate, and neither do the Muslim masses. An earlier Tabah analytic brief related to fatwa confidence showed that Muslims have very little confidence in fatwas that spread through these media. In spite of all of the above, the material spreads—often presented as mainstream, leading to public misunderstanding of Islam, Muslims, and Islamic scholarship. Meanwhile, material that Muslim legal scholars do consider legitimate (even if not optimal) and that is accepted by significant segments of the population does not spread—and therefore does little to shape public understanding.

In this piece, I proffer a hypothesis to explain why this is so, and propose activities to address the problem. The hypothesis is that Islamic legal material is being issued by people who are not themselves legal scholars, and—more importantly—legal material is no longer valued solely by those who look to it for guidance. Legal material is now also valued by those who see it as a means for ad revenue and attracting readers, and by those who see it as an instrument for influencing public opinion towards Islam, Muslims, or sub-groups within the community. For this new group, authenticity and validity are not intrinsically important and do not increase the value of a fatwa. Rather, what is important for this group is that the material attracts readers or maligns, and that it is shared—with the value increasing as it is shared. Given the way these three groups value rulings in

different ways, one would expect that legitimate legal scholarship would not spread far, while material designed to attract readers and malign would.

Left on its own, this situation is a recipe for the public misunderstanding of Islam, Muslims, and Islamic scholarship. This should be of great concern to a wide range of stakeholders, including those working in the field of Islamic scholarship or seeking it (i.e., muftis trying to provide observant Muslims with good fatwas); activists, leaders, politicians, and policy makers who are responsible for the welfare of Muslims; reporters and media outlets who are concerned with their integrity; and even halal industry marketers looking to place ads in media outlets with the right target audience.

The three activities proposed to help address the problems mentioned above are:

1. Reduce the impact of individual unsound Islamic legal opinions as they proliferate through mass and social media. This can be carried out by evaluating the Islamic legal rulings circulating widely through mass and social media, clarifying misrepresentations, directly engaging those who spread them, encouraging editors to take steps to increase the quality of articles related to Islamic law by checking with scholars of Islamic law, and providing periodic reports on sources of both sound and unsound scholarship.
2. Increase the visibility of sound Islamic legal scholarship by increasing its presence in mass and social media. This can be done by identifying sources of sound Islamic legal scholarship, promoting their material, preparing pieces for submission to mass media, and encouraging editors to care about the quality of material they present to their Muslim readers.
3. Promote the popularization of Islamic legal scholarship. Popularization refers to making a discipline accessible to non-specialists. This can be done by explaining what Islamic scholarship is, what scholars do, why it is important, and correcting misunderstandings.

Together, these activities can bring about a shift in the Islamic discourse that is conveyed through digital mass and social media. But more importantly, these activities foster an accurate and wholesome public understandings of Islam, Muslims, and Islamic scholarship in society.

THE FAUX FATWA FIQHTION ADDICTION

Over the recent years, several stories related to Islamic legal opinions have gained widespread circulation through English-language digital mass and social media. While the work of recognized Muslim legal scholars is largely ignored on these media, works that these same scholars (indeed: the observant Muslim masses) deem inauthentic and illegitimate go viral. The disproportionate spread of recognized Islamic legal scholarship leads the public to misunderstand Islamic law and its legal scholarship. This piece looks at how Islamic legal material is spread to the public, and the types of material that spread. It proposes several

reasons for why certain types gain widespread circulation. It closes with recommendations to address this problem and to promote the public understanding of Islamic scholarship in society.

1. THE SPREAD OF ISLAMIC LEGAL MATERIAL THROUGH MASS AND SOCIAL MEDIA

In the past, scholars of Islamic law were the primary authors and communicators of Islamic legal material. This material included books, lessons, and legal opinions. They communicated this material using the channels available at the time: in spoken or written form. For example, seekers of rulings would go in person to a *faqīh* teaching a lesson in law, a mufti responding to individual petitioners, or to a court for a *qāḍī*'s judgment. In some cases, the individual would send someone they trust in his place. Today, scholars disseminate Islamic legal material through the whole gamut of contemporary media. They appear on television and radio, write for newspapers and magazines. Many have personal websites and blogs, and participate on social media.

But scholars of Islamic law are no longer the only people who disseminate Islamic legal material. Today other individuals communicate rulings (either verbatim or paraphrased) even though they are not themselves legal scholars (or even scholars in training). Common examples include journalists and reporters working for newspapers, television and radio, researchers in academic institutes, and think tanks, activists, bloggers, and individual members of the general public.

This is not the only change that has taken place. Whereas legal rulings in circulation were likely to have been issued by a qualified legal scholar, today many of the legal rulings that circulate through global media were issued or reported by individuals who are not themselves scholars. (Indeed, in many cases, by individuals not even familiar with basic, day-to-day, religious practices.)

For the most part, Islamic legal material issued through various forms of global media does not spread far. While a legal scholar who produced material or an individual who found it useful may spread it on social media, Islamic legal material rarely circulates far. Occasionally, a news article, blog entry, or social media update claiming that Islam or Sheikh So-and-So says such-and-such will spread like wildfire through these various forms of media. An examination of the Islamic legal material that becomes widely circulated by the media shows a common pattern: it tends to be incendiary,¹ salacious,² involve sexual practices of Muslim women³ or

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1. "Tunisians Raise Alarm on Possible Fatwa Encouraging 'Sexual Jihad'", *Al-Monitor*, January 1, 2013, <http://www.al-monitor.com/pulse/culture/2013/03/tunisia-girls-syria-sexual-jihad.html>.
 2. "Breastfeeding Fatwa Causes Stir", *BBC News*, May 22, 2007, <http://news.bbc.co.uk/2/hi/6681511.stm>.
 3. Nancy Qualls-Shehata, "Sometimes, a Cucumber Is Just a Cucumber", *Patheos*, December 15, 2011, <http://www.patheos.com/blogs/muslimahinprogress/2011/12/sometimes-a-cucumber-is-just-a-cucumber.html>.

men,⁴ or—better yet—all of the above.⁵ It is as though certain segments of the media have a love for circulating demonstrably fraudulent legal rulings.⁶

Anyone familiar with the types of rulings that Muslims ask about will quickly notice that the types of rulings that many news agencies and social media users find interesting enough to circulate are not rulings about which practicing Muslims themselves ask. Nor are they the type of rulings that are accepted or put into practice by the Muslims masses—as is evinced by Muslims (laity and scholars) vehemently rejecting the examples given above.

Very few of the legal rulings that gain widespread circulation are rulings that are recognized by legal scholars as something they might issue. Sometimes a valid, recognized ruling is at the heart of what circulates—but only after it has been altered to such an extent that what is reported is more a work of fiction than of fact.⁷ This problem is amplified when a specialist in a seemingly related field, such as the history of Islamic art, or hagiography, dabbles in Islamic disciplines without adequate knowledge of their content, nor familiarity with the research methods, and nomenclature.⁸

2. THE MARKET FOR FAUX FATWAS AND FICTIONS

The types of material disseminated show that there is a market demand for faux fatwas, fictions, and fallen legal scholarship. People do and will author and circulate spurious legal material. Some of this material is spurious because the author simply lacks sufficient mastery of Islamic law to research existing opinions or issue one of their own. Other material

4. Raymond Ibrahim, “Sodomy ‘For the Sake of Islam’”, *FrontPage Magazine*, July 12, 2012, <http://www.frontpagemag.com/2012/raymond-ibrahim/sodomy-for-the-sake-of-islam/>.
5. Ali Abunimah, “How Progressive *AlterNet* and *Salon* Fell for ‘Gang Rape’ Fatwa Peddled by Islamophobes”, *The Electronic Intifada*, January 3, 2013, <http://electronicintifada.net/blogs/ali-abunimah/how-progressive-alternet-and-salon-fell-gang-rape-fatwa-peddled-islamophobes>.
6. Davi Barker, “Don’t Fall for the Crazy Fatwa – It’s Either False or Just an Opinion”, *Patheos*, January 10, 2013, <http://www.patheos.com/blogs/altmuslim/2013/01/dont-fall-for-the-crazy-fatwa-its-either-false-or-just-an-opinion/>.
7. Musa Furber, “On Banning ‘All You Can Eat’ Buffets”, *Muftic Musings*, March 14, 2014, <http://musafurber.com/blog/2014/03/14/banning-all-you-can-eat-buffets/>.
8. Recent examples include several articles concerning figurative depictions of the Prophet (Allah bless him and give him peace), including: Christiane Gruber, “The Koran Does Not Forbid Images of the Prophet”, *Newsweek*, January 15, 2015, <http://www.newsweek.com/koran-does-not-forbid-images-prophet-298298>; Christiane Gruber, “How the ‘Ban’ on Images of Muhammad Came to Be”, *Newsweek*, January 19, 2015, <http://www.newsweek.com/how-ban-images-muhammad-came-be-300491>; and Barnaby Rogerson, “Mohammed – In Pictures”, *The Spectator*, January 24, 2015, <http://www.spectator.co.uk/arts/arts-feature/9420792/mohammed-in-pictures/>.

For a light critique of the articles’ Islamic legal scholarship, see Musa Furber, “Comment: *Newsweek*’s Articles on Figurative Depictions of the Prophet and Animate Life in Islamic Law”, *Muftic Musings*, January 20, 2015, <http://musafurber.com/blog/2015/01/20/newsweeks-articles-on-figurative-depictions-of-the-prophet/>, and Musa Furber, “Comment: *The Spectator*’s Muhammad – in Pictures”, *Muftic Musings*, January 25, 2015, <http://musafurber.com/blog/2015/01/25/comment-the-spectators-muhammad-in-pictures/>.

is spurious due to the content of the material itself. Reasons can include using an improper methodology when researching or producing the material; the improper application of Islamic legal methodology (or its abandonment altogether); or that it makes or is built upon erroneous claims. Some spurious material is a fiction authored with the intent that it be recognized as an illegitimate fictional ruling—such as when rulings are included in a piece of criticism or satire. Meanwhile, other spurious rulings are fictions authored with the intent that they be accepted as authentic—such as when the ruling is fabricated for the purpose of inciting a negative reaction against Islam, Muslims in general, or a particular group of Muslims.

Unfortunately, it is quite easy to meet this demand since it is relatively easy to produce and disseminate material that no recognized Muslim scholar of Islamic law would ever issue. All it takes is a bit of creativity and matching the target audience's expectations of what Islam is and what Muslims do.

Oftentimes a widely circulated news item will contain legitimate Islamic legal scholarship which the item's author has misunderstood and, consequently, misrepresented. The UAE Mars Fatwa story from February 2014 illustrates this nicely. In this case, additions and alternations converted an originally good ruling into an illegitimate fictional ruling.

3. CASE STUDY: THE MARS FATWA THAT NEVER WAS

On 19 February 2014, a newspaper in the UAE broke a story that a fatwa committee underneath GAIAE, the UAE's General Authority of Islamic Affairs and Endowment, had issued a fatwa prohibiting Muslims from taking one-way voyages to Mars and, by analogy, from doing so with the Mars One project. The story soon spread through segments of the media like wildfire. It was picked up by numerous Western and Arab media outlets and mentioned over 10,000 times on Twitter. Despite the large number of different media outlets who repeated the story, the content of all of these reports and tweets led back to the exact same solitary newspaper article. A primary source was given for the fatwa, but the text of the fatwa could not be found on their website. Mars One issued a respectful response, requesting that GAIAE retract their fatwa.

On 24 February, GAIAE issued an official press release. The press release stated in unequivocal terms that the Agency has no connection with “corrupting a question and its [associated] fatwa on the ruling of humans making a one-way voyage to Mars that the media has been spreading and attributing to the Agency”. GAIAE's account of the fatwa bears almost no resemblance to the original article which the media outlets had spread almost verbatim. This press release calls into question the veracity of the original report and subsequent reports that still assert GAIAE's fatwa.

GAIAE's press release was issued through WAM, the official Emirates News Agency. They clarified that a question had been presented to their fatwa council about making a one-way voyage to Mars. Their reply to the question was that “[b]ased upon the legal texts and matters of scholarly consensus, it is not permissible to make a one-way voyage to Mars if survival during the trip is not possible and if the likelihood of dying exceeds the likelihood of living, due to it exposing the individual to death”.

If we look at the reasoning given in GAIAE's own press release and the reasoning attributed to them in the source article, it is difficult to understand why there was such an uproar about their conclusion. Islam forbids suicide, whether performed on the face of the Earth, in the depths of its seas, soaring its skies, while in its orbit, or out in outer space. We expect muftis to forbid any activity which is expected to result in death since preservation of life is among the highest objectives of Islamic law, and it is unlawful to engage in activities that present a significant risk to life or limb.

Sadly, none of the media outlets who jumped on the bandwagon to repeat this story could be found to have reported on GAIAE's statement, even though it essentially pulled the rug out from under the entire fatwa story. Several media outlets refused to print anything that in any way questioned or criticized their industry's integrity for reporting on legal rulings. The story about how members of an official fatwa council for the UAE's General Authority of Islamic Affairs and Endowment (GAIAE) forbade Muslims to make the one-way journey with Mars One continued to circulate for days.

Misreading GAIAE's fatwa turned it from a rather mundane and reasonable opinion into a sensational and ridiculous absurdity.⁹

4. THE CONFIDENCE SUNNI MUSLIM MASSES PLACE IN LEGAL MATERIAL

There should be little surprise if Muslims think little of the types of rulings that circulate widely through mass and social media. A recent exploratory study suggests that the Muslim public itself places very little confidence in Islamic legal material that is not conveyed by Islamic legal scholars. The study aimed to measure the confidence Sunni Muslims place in the validity of legal opinions (*fatwas*) disseminated through a variety of communication scenarios. The scenarios included common communication channels (in person, TV, radio, newspaper, website or social media), with the sender being the source of the fatwa (the mufti) or a non-mufti intermediary reporting the fatwa (such as colleagues, reporters, or bloggers).

Analysis of the rank of confidence that respondents have in the validity of fatwas produced the following order (from most confidence to least):

1. a mufti communicating a fatwa in person;
2. through an official website or social media account;
3. through TV;
4. through radio;

9. Musa Furber, "The Mars One Fatwa That Never Was", *Muftic Musings*, March 4, 2014, <http://musafurber.com/blog/2014/03/04/the-mars-one-fatwa-that-never-was/>, and Musa Furber, "Media Distorts Mars Fatwa, Making Mons Olympus From a Molehill", *Muftic Musings*, March 5, 2014, <http://musafurber.com/blog/2014/03/04/the-mars-one-fatwa-that-never-was/>.

5. through a newspaper or a non-mufti intermediary reporting on a fatwa in person;
6. a non-mufti reporting through TV;
7. through radio;
8. through a website or social media account not affiliated with the mufti; and, lastly,
9. through a newspaper.

In general, the ranking agrees with common sense expectations that Muslims seeking fatwas are more confident when the source of the fatwas they receive is the mufti rather than a non-mufti intermediary reporting on the fatwa.

The ranking also agrees with common sense expectations that confidence is related to the cues a communication channel provides. But the ranking does not explain why official websites and social media rank second highest for fatwa producers and second lowest for fatwa reporters, nor why muftis communicating fatwas through newspapers engenders so little confidence in the validity of fatwas.¹⁰

The incredible low levels of confidence placed in fatwas disseminated by newspapers should be worrisome for Muslims hoping to obtain reliable religious information through newspapers, muftis trying to communicate fatwas through such a channel, and newspapers hoping to retain their Muslim readership.

5. WHY DOES LEGAL MATERIAL AT ODDS WITH ISLAMIC SCHOLARSHIP SPREAD SO WIDELY?

At this point it is appropriate to ponder why it is that legal material so at odds with Islamic scholarship circulates while legitimate material does not. Some of the reasons that are likely to contribute to this were already mentioned above: Islamic legal scholarship is now communicated through a wider variety of communication channels than before, and it is often reported on by individuals who lack adequate training in Islamic legal scholarship to research existing opinions or to issue one of their own. But perhaps a more important reason is that Islamic legal material—typically in the form of legal rulings—now has a value outside its primary intended audience: practicing Muslims.

People value Islamic legal rulings for different reasons and for achieving different purposes. Why they value legal rulings, and what they value in a ruling both influence the types of rulings that are more likely to be disseminated. For the purposes of this piece, three groups stand out: those who value them as guidance and salvation, those who value them as news items, and those who value them as tools for influencing public opinion.

10. Musa Furber, *Ranking Confidence in the Validity of Contemporary Fatwas & Their Dissemination Channels*, Tabah Analytic Brief 13 (Abu Dhabi: Tabah Foundation, 2013).

The first group values legal rulings as a source of guidance and salvation. This group primarily comprises practicing Muslims, though it also includes researchers interested in the religion and legal system of Islam. Rulings are a source of guidance and salvation when they provide answers to questions of interest to Muslims. These questions tend to reflect ordinary, everyday, Muslim life. These rulings concern practical religious rituals and morality, and are often issued by muftis and fatwa institutions that are publicly recognized as trustworthy authorities. These rulings are rarely newsworthy, scandalous, sensational, or controversial. As a source of guidance and salvation, the quality and validity of the ruling are paramount. Being shared does not add to its value.

The second group values legal rulings as news items. This group includes news agencies and individuals who report on current events. A subject must be sufficiently relevant to the public or a special audience in order for it to warrant being covered. When the audience for the news items includes a sizeable number of Muslims, rulings *as news items* will have some overlap with rulings *as guidance and salvation*—especially for new rulings that affect a large segment of the audience or for seasonal rulings (e.g., Ramadan, Eid, hajj). But most of the rulings valued *as guidance and salvation* are too mundane and ordinary to be newsworthy. Instead, newsworthy rulings are likely to be those that are negative, out of the ordinary, can be presented as unambiguous and free of nuance, personal, present conflict—or if a competitor is running it.

News organizations need to attract readers. One method used by some online news agencies is to print hot, sensational stories that will bring readers in the hope they will then move on to other content. Sex and violence work well. Given what makes an item newsworthy and given the need to attract readers, it is no wonder that those who view rulings as news items select the types of rulings that they do: rulings related to sex, violence; rulings that are negative, and involve conflict. These sensational rulings are not the type of rulings valued by individuals who value rulings as guidance and salvation.

In addition, news organizations need their news items to be circulated and spread—especially through social media. When an Islamic legal ruling is valued as a news item, its potential for and actual occurrence of being shared both increase its value.

Given that many news agencies consider the competition's stories to increase the newsworthiness of an item, it is also not too surprising when a faux fatwa or fiction is reported in one source and gets immediately picked up by other agencies. More sources and individuals do this, eventually creating a self-reinforcing and self-perpetuating echo chamber.

When rulings are looked at as news items, newsworthiness and expectations of being shared are paramount, and being shared add to its value. The quality and validity of the ruling are, at best, secondary considerations.

The third group values legal rulings as a tool for influencing public opinion, whether it be towards Islam, Muslims in general, or a particular set of Muslims. Notable members of this group include opponents of Islam and Muslims, such as secularists and Islamaphobes. But it also includes Muslims and others aiming to influence the public against another group

of Muslims. Similarly to when rulings are viewed as news items, the rulings that are valued here are those that tend to expose (allegedly) negative or evil aspects of Islam or the Muslim community, and that do so in manners that are free of any ambiguity or nuance. For this group, the value of a ruling is dependent on its ability to malign Islam, Muslims in general, or a particular group of Muslims. Rulings are valued for their rhetorical force; quality and validity do not matter and—indeed—might actually get in the way. Additionally, it is crucial that the ruling be shared in order to achieve the goal of influencing public opinion. So expectations of a ruling being shared are paramount, and actual sharing adds to its value.

As argued above, different individuals and groups value Islamic legal rulings as a means for achieving different things. The quality and validity of a ruling are paramount when it is valued as a means to guidance and salvation, but of secondary importance (at best) when viewed as news items or tools to influence public opinion. Negativity, conflict, and an absence of ambiguity and nuance are either crucial or important when legal rulings are valued as news items or tools to influence public opinion, whereas none are beneficial when rulings are viewed as means to guidance and salvation. Expectations that a ruling will be shared are also crucial or important when legal rulings are valued as news items or as tools to influence public opinion (and increase a ruling's value)—in contrast to when rulings are valued as a means to guidance and salvation.

Individuals who value rulings as guidance and salvation will seek them from recognized sources of Islamic legal scholarship and avoid rulings that do not. Individuals who value rulings as news items can accept either type of ruling, and with proper incentives it may be possible to persuade them to prefer rulings that are valued as guidance and salvation. Individuals who value rulings as tools to influence public opinion will automatically incline themselves to look elsewhere when they cannot easily find them within recognized Islamic scholarship, or to misrepresent the ones that they do.

6. RECIPE FOR THE PUBLIC MISUNDERSTANDING OF ISLAM

The current state of affairs means that mass and social media will tend to privilege Islamic legal material that Muslim legal scholars would not recognize as examples of legitimate Islamic legal scholarship that adheres to legal methodologies, and that the general Muslim public does not value as legitimate advice towards their own guidance and salvation. (That Muslim legal scholars accept a ruling as an example of valid legal scholarship and adherence to legal methodologies is key since these are cornerstones for what makes an opinion valid and authoritative.) Meanwhile, the legal scholarship that Muslim legal scholars and the general Muslim public do accept goes virtually ignored. Consequently, mass and social media tend to be unreliable and risky as a resource for finding or communicating Islamic legal scholarship. This should be of great concern to anyone who has an interest in presenting and disseminating Islamic knowledge that is accurate and authentic. People and institutions who provide legal rulings will want their rulings to be found; individuals seeking those rulings will want to be able to find them while finding a minimum number of invalid or inauthentic material. When it is the latter that dominates a medium, the use of that medium for providers and seekers is diminished. Such domination will also greatly reduce the confidence seekers of Islamic scholarship will have in the material that they find.

Since legal material at odds with Islamic legal scholarship is what currently dominates media, there should also be little wonder that Muslims are least confident in the validity of rulings conveyed through social media and newspapers.¹¹ Muslims simply do not think highly of the types of Islamic legal material that end up receiving widespread circulation.

This last part should be a concern for media providers who have large Muslim audiences, especially those located in countries where Islam is the official religion. The Muslim consumer market includes 1.8 billion Muslims and is expected to grow 35% by 2030.¹² Muslim consumer products need to be advertised. Alienating this market risks depriving the medium of a potential revenue stream. So perhaps these media should take care to ensure that their Islamic legal material reflects Islamic legal scholarship and avoids those that do not.

The predominance of rulings that are valued as tools for influencing public opinion leaves negative impressions of Islamic laws and legal scholarship, as well as of Muslim societies, norms, morals, and interests. These negative impressions serve to strengthen negative stereotypes. Left unchallenged, there is little hope that these negative impressions and their ensuing consequences can be reversed.

While the negative consequences of these types of legal opinions being presented as Islamic scholarship is partially mitigated for Muslims who have easy access to muftis or criticism of such questionable material, these options tend to be absent for non-Muslims and Muslims in minority communities. Additionally, the negative consequences are augmented when foreign journalists and bloggers transport these opinions into the purview and gaze of international audiences. This internationalization of scandalous and sensational legal material is especially negative when verification is difficult due to linguistic or religious differences and boundaries. In extreme cases, totally insignificant and obviously incorrect legal opinions are presented to non-Muslim audiences as commonly accepted, Islamic legal norms.

Perhaps more important than all of the above, the current anarchy of opinions leaves a false impression that anyone can issue whatever opinion they wish and have it accepted as a legitimate Islamic legal ruling, and that anyone can pass off gossip as Islamic scholarship. This is in clear contradiction with the history of Islamic scholarship since there is every indication that after the passing of the Prophet (Allah bless him and give him peace) the masses looked to a very small segment of the population for authoritative legal opinion.

The current state of affairs means that, left on their own, the only rulings people will know about are those that are valued as news items or as tools to influence public opinion—meaning they are automatically biased towards illegitimate fictional legal rulings. And left on their own, people will think that these opinions are just as legitimate as those issued by scholars of Islamic law.

This should concern all who work in the field of Islamic scholarship or seek it (i.e., muftis

11. Ibid.

12. “Consuming Passions”, *The Economist*, May 25, 2013, <http://www.economist.com/news/international/21578380-muslim-consumers-are-looking-beyond-traditional-religious-stipulations-meat-and>.

trying to provide observant Muslims with good fatwas); activists, leaders, politicians, and policy makers who are responsible for the welfare of Muslims; reporters and media outlets who are concerned with their integrity; and even halal industry marketers looking to place ads in media outlets with the right target audience.

7. RECOMMENDATIONS

The situation described above needs to be rectified since calling to Islam, the spread of sound religious knowledge, and correcting misguidance are all among the major objectives of Islamic legislation.¹³ Additionally, enjoining the good and forbidding the wrong is a religious duty. Abū Saʿīd al-Khudrī (may Allah be pleased with him) reported that the Messenger of Allah (Allah bless him and give him peace) had said: “Whoever amongst you sees anything objectionable, let him change it with his hand; if he is not able, then with his tongue, and if he is not even able to do so, then with his heart, and the latter is the weakest form of faith.”¹⁴

Three activities can help address the problems mentioned above:

1. Reduce the impact of individual, unsound Islamic legal opinions as they proliferate through mass and social media.
2. Increase the visibility of sound Islamic legal scholarship by increasing its presence in mass and social media.
3. Promote the popularization of Islamic legal scholarship.

The first two activities are intertwined.

The absence of a recognized public source for sound Islamic legal opinions (that is: opinions that Muslim legal scholars accept as examples of valid legal scholarship and adherence to legal methodologies—which are cornerstones for what makes an opinion valid and authoritative) allows anyone to say whatever they want and to pass it off to others. There is a need to increase general awareness about which legal rulings are sound (i.e., valid, authentic, and reliable according to the standards of Islamic legal scholarship); and which ones are not.

Reducing the impact of unsound Islamic legal opinions can be done by evaluating the Islamic legal rulings circulating widely through mass and social media, clarifying misrepresentations, directly engaging those who spread them, encouraging editors to take steps to increase the quality of articles related to Islamic law by checking with scholars of Islamic law, and providing periodic reports on sources of both sound and unsound scholarship.

Evaluating the soundness of an Islamic legal opinion requires having a certain degree of

13. Musa Furber, *Obligations to Future Generations: A Shari’ah Perspective*, Tabah Papers Series 6 (Abu Dhabi: Tabah Foundation, 2012), 31–4.

14. Muslim ibn al-Ḥajjāj, *Ṣaḥīḥ Muslim*, ed. Muḥammad Fuʿād ‘Abd al-Bāqī (Beirut: Dār Iḥyā’ al-Turāth al-‘Arabī, n.d.), 78.

expertise in Islamic legal scholarship: its sources, its jurisprudence, its laws, and its application to contemporary contexts. Islamic legal scholarship is very broad, deep, detailed, and nuanced. A legitimate legal ruling can draw on all of these qualities, making it very difficult for non-specialists to evaluate the authenticity and validity of legal rulings themselves. It can also be very difficult for non-specialists to make a compelling argument that a fatwa is authentic, valid, or reliable; or to point them towards a recognized authority or resource for authentic, reliable legal rulings.

Increasing the visibility of sound Islamic legal scholarship can be done by increasing its presence in mass and social media. This can be accomplished by identifying sources of sound Islamic legal scholarship, promoting their material, preparing pieces for submission to mass media, and encouraging editors to care about the quality of material they present to their Muslim readers. It is especially important to increase the visibility of legal rulings that are of value to Muslims themselves so that their interests are not completely drowned out by legal rulings disseminated solely to attract attention or influence public opinion.

The third activity is to promote the popularization of Islamic legal scholarship. Popularization refers to making a discipline accessible to non-specialists. This can be done by explaining what Islamic scholarship is, what scholars do, why it is important, and correcting misunderstandings. The methods and opinions of Islamic scholarship and scholars need to be presented in language and terms readily understood by individuals who are not themselves specialists in Islamic law, but do possess a high degree of literacy and education in other fields. This presentation needs to be done in a way that preserves the depth and nuances of the classical rulings, without oversimplification or trivialization. It must not trivialize scholarship by reducing it to what is cool or trendy.

Discussions of individual rulings need to accept that anyone can and will have opinions on Islamic legal matters, and then lead them towards the methods and conclusions of Islamic scholarship. This can be done by pointing out that their opinions are much less definite than they thought, and by presenting scholarly ideas and arguments in a way that is accessible to the general public. This should be done with whatever kindness and respect is appropriate for the given situation.

Although the paper has focused on legal issues and Islamic legal scholarship, similar cases can be made for other Islamic scholarly disciplines. This has not been done since misrepresentation of any single component discipline of Islamic scholarship leads to misrepresentation of the whole. So the problem here is not just the public understanding of Islamic law and legal scholarship, but rather the public understanding of Islamic scholarship in society.

Conclusion: Digital mass and social media are popular venues for Islamic discourse and shaping the public understanding of Islam, Muslims, and Islamic scholarship. Many of the discourse items that spread in these media purport to convey Islamic legal scholarship. Unfortunately, the items that spread widely almost always include “scholarship” from individuals who are not recognized as scholars of the relevant discipline and—more importantly—do not adhere to the field’s established research methods. Additionally, these items are almost universally lampooned by the Muslim masses. Meanwhile, items

which are widely recognized by specialists and Muslim masses as examples of authentic, valid Islamic scholarship do not spread at all. This disproportionate spread leads to a public misunderstanding of Islam, Muslims, and Islamic scholarship. The principle of commanding the right and forbidding the wrong, and the objectives related to spreading and implementing the Islamic world view (the Shari'ah) require us to address this situation. There is especially a need to reduce the impact of individual unsound Islamic legal opinions as they proliferate through mass and social media; to increase the visibility of sound Islamic scholarship by increasing its presence in mass and social media; and to popularize authentic Islamic scholarship. Together, these activities can bring about a shift in the Islamic discourse that is conveyed through digital mass and social media. But more importantly, these activities foster an accurate and wholesome public understandings of Islam, Muslims, and Islamic scholarship in society.

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