

ACADEMIC RESEARCH MONOGRAPH

Fatwa

in the Age of

Digital

Transformation

*From the Eligibility of the Mufti
to the Fatwa Ecosystem*

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May 2026 / Dhū al-Qa‘dah 1447 AH

*(Book — Foreword & Conclusion — Draft
v0.1)*

Author's Foreword

In the Name of Allah, the Most Gracious, the Most Merciful.

All praise is due to Allah, Lord of the worlds, and may peace and blessings be upon our Prophet Muhammad, and upon his family and all his companions.

This book grows out of a peer-reviewed paper I presented eight years ago. In February 2018, I participated in the 15th Annual Imams' Conference of the Assembly of Muslim Jurists of America (AMJA) in Houston, with a paper titled "Fatwa Between the Mufti's Eligibility and the Chaos of Fatwa-Issuance" (al-Fatwā bayna ahliyyat al-muftī wa-fawḍā al-iftā'). That paper was a modest

attempt to ground in scholarly terms a phenomenon we were witnessing with our own eyes: the chaos of fatwa-issuance overtaking our Islamic public sphere. At the time, satellite channels were at their peak, social media was emerging, and we sensed something significant was happening — though we did not yet grasp its scale.

Then eight years passed.

And they were no ordinary years. In 2019-2020 the COVID-19 pandemic arrived, pushing the Muslim world — like the rest of humanity — into digital space in a single shove. Friday sermons moved to YouTube; lessons moved to Zoom; questions and answers moved to WhatsApp and Telegram. Something in the relationship between the believer and his religion shifted.

Then, in those same years, short-form video platforms exploded: TikTok, YouTube Shorts,

Instagram Reels. The fatwa came to be consumed in thirty seconds, on the screens of our phones, between an advertisement and a piece of entertainment.

Then, in November 2022, ChatGPT appeared. Within a single month, its users exceeded one hundred million. It became possible for anyone in the world to open a website, type "What is the ruling on such-and-such in Islam?" and receive a detailed answer in seconds. The answer might be correct; it might be entirely fabricated. The user has no way to tell.

Faced with these transformations, I came to recognize that the 2018 paper — sound though it remained for its moment — was no longer sufficient. The diagnosis we offered then is still accurate, but the stage upon which it lands has changed. The six proposals with which I concluded the paper proved, in

most cases, difficult to implement — not because of any defect in them, but because reality outpaced them.

From this conviction was born the idea of this book: not as a revision of the 2018 paper, but as a structure built upon it. I preserve the original work and build above it two new layers: a contemporary reading of digital fatwa chaos, and a practical framework for reforming fatwa-issuance in the open digital space.

The Project's Philosophy

This book proceeds from a methodological conviction: that the foundational legal-theory (uṣūl al-fiqh) inheritance bequeathed to us by our great jurists — al-Shāṭibī, al-Qarāfī, Ibn al-Qayyim, Ibn Taymiyya, al-Nawawī, Ibn al-Ṣalāḥ, al-Khaṭīb al-Baghdādī, and others — remains capable of addressing the contingent

novel cases (nawāzil) of our age. The principles they codified, the rules they constructed, and the methodology they refined are wide enough to absorb contemporary transformations.

But that absorption requires ijtihād — that is, applying these established principles to new realities using the same methodology by which the early scholars applied them to the realities of their day. We do not demolish the foundation, nor do we repeat received conclusions without comprehension. We exert juridical effort, as they exerted juridical effort, in our time as they did in theirs.

Accordingly, the additions in this book — the definition of digital chaos, the "Compound Qualifications of the Contemporary Mufti," the contemporary Seventh Rank (the Collective Institutional Mujtahid), the Jurisprudence of Digital Consequences, the

situation of artificial intelligence vis-à-vis the pillars of fatwa — all of these are constructed upon classical foundations, not in rupture with them.

Structure of the Book

The book is organized in three parts:

Part One: The Revised Original (Foundations) — three chapters that establish the conceptual, biographical, and hierarchical groundwork:

- Chapter One: Foundational Concepts in Fatwa, the Mufti, and Eligibility.
- Chapter Two: The Personhood of the Mufti — Between the Conditions of Legal Capacity, Knowledge, and Character.
- Chapter Three: The Ranks of the Mujtahids and the Limits of Issuing Fatwa Through Taqlīd.

Part Two: The Transformation (Contemporary Additions, 2026) — five chapters that examine the digital shift:

- Chapter Four: The Chaos of Fatwa — A Contemporary Reading (2018 → 2026).
- Chapter Five: Fatwa as Digital Content — The Ethics of Platforms.
- Chapter Six: Artificial Intelligence and the Question of Fatwa — Its Limits and Controls.
- Chapter Seven: The Fiqh of Minorities in the Digital Balance.
- Chapter Eight: From the Individual Mufti to the Collective Fatwa Ecosystem.

Part Three: Proposals and Horizons — two chapters that translate analysis into roadmap:

- Chapter Nine: Evaluating the Six 2018 Proposals and What Was Achieved.

- Chapter Ten: A Practical Roadmap for Reforming Fatwa in the Open Sphere.

The book closes with five appendices: the text of the original 2018 paper; a glossary of terms (classical and digital); an extended bibliography; a proposed Code of Conduct for the Digital Mufti; and five analytical case studies.

Acknowledgments

I cannot close this foreword without recording my gratitude to those who supported this work:

To the Assembly of Muslim Jurists of America (AMJA), which hosted the original paper and provided the scholarly and institutional context from which this book emerges. AMJA's experience over more than two decades represents, in my judgment, a leading model for what I call in this book "The

Collective Institutional Mujtahid" — the model I argue for expanding.

To my colleagues among the scholars and researchers with whom I discussed the ideas of this book — in scholarly gatherings, through correspondence, and at conferences. I particularly thank [space for names the author may add].

To my dear family, who bore my absorption in this book over many months — taking on duties I left undone while immersed in writing.

To the imams of mosques in America, whom I teach and from whom I learn. Much of what is in this book is the distillation of their daily experience, more than my own theoretical work.

And to every reader who will engage this book with the eye of a sincere critic, sending corrections and notes for improvement in

future editions. Scholarship belongs to its rightful guardians, and this draft is an open invitation to scholarly critique.

Closing Supplication

O Allah, grant me sincerity in word and deed, and make this work purely for Your noble Face. Forgive what I have erred in and what I have fallen short of in research. Benefit whoever reads this book, and preserve for the Ummah the blessing of working scholars, sincere muftis, and diligent researchers. Indeed, You are the Hearer of supplication, the Near, the Answering.

And all praise belongs to Allah, Lord of the worlds, and may peace and blessings be upon our Prophet Muhammad, and upon his family and all his companions.

Dr. Ahmed Abouseif

May 2026

(Chapter One — Draft v0.1: Contemporary Additions)

Chapter One: Foundational Concepts in Fatwa, the Mufti, and Eligibility

(This file contains the contemporary additions to Chapter One, which are to be merged with the four classical sub-sections drawn from the Original Preamble — see Part One of the Original Manuscript, draft v1.0.)

A Contemporary Prelude: Why Re-read the Concepts?

Before delving into the definitions of fatwa, mufti, eligibility, and chaos, it is worth a reflective pause: Why re-read these concepts today? Are the definitions of the classical masters not sufficient?

The answer is that the definitions themselves remain sufficient. What has changed is the context upon which they descend. The words — fatwa, mufti, mustaftī (questioner) — no longer carry the same social and institutional contents they bore in the eras of al-Qarāfī, al-Shāṭibī, and Ibn al-Ṣalāḥ.

In the era of the early scholars, the mufti was known by name in his city, seated in a specific mosque, consulted by the people of his town face-to-face, and his fatwa traveled within a defined geographic boundary. Today, fatwa issues forth from the lips of "the mufti" — who

may not be a mufti at all — in a thirty-second reel, and then travels to millions of listeners across the world within hours. It is cut from its context, recast, and may reach the questioner stripped of its setting, distorted from its intent, or attributed to another.

From this point, the classical definitions transform from a mere linguistic description into normative criteria by which we measure the validity of what is today called "fatwa." When we say that fatwa is "informing of God's ruling" (al-Shāṭibī), we invoke this definition today not to define, but to filter: what is and what is not a fatwa, even when its issuers call it one.

Thus this chapter is not a mere compilation of definitions; it is an epistemic covenant between us and the reader: an agreement on what we mean by the words "fatwa" and

"mufti" in the pages of this book — so that things do not become confused for either of us. We will build the sub-sections on two layers: a classical inherited layer (Sub-sections 1-4, drawn from the original preamble), followed by three contemporary layers: a comparative table that gathers the definitions on a single page; a proposed definition of digital chaos; and a profile of the digital mustaftī — that new entity which lay beyond the imagination of our classical jurists.

Sub-section Five: A Comparative Table of Definitions

We have surveyed in the preceding subsections the definitions of fatwa, mufti, mustaftī, eligibility, and chaos in the works of the early scholars. Phrases have multiplied; angles of view have varied. To assist the reader in holding the essence of each definition in mind, we gather them here in a comparative table:

Term	Classical Definition	Contemporary Epistemic C
Fatwa	"Informing of God's ruling, not by way of binding compulsion" (al-Shāṭibī). An informing by one who is qualified, with a legal proof, for one who asks in events and	The criterion "informing of C with proof." V this is person not fatwa, even called and circ

Term	Classical Definition	Contemporary Epistemic
	otherwise.	
Mufti	"He who stands in the Ummah in the station of the Prophet ﷺ" (al-Shāṭibī). He who is capable of knowing the rulings of events by their proofs, while preserving the bulk of the fiqh.	The label has e include the the "influen "content creat the name generate the without the being fulfilled.
Mustaftī	The questioner who seeks the religious ruling in order to act upon it, observing the etiquettes of inquiry (truthfulness, full disclosure of circumstance, refraining from shopping).	In the digital has shifted into consumer" wh out of enterta curiosity, an among fatwa the easiest.
Eligibility (Ahliyya)	"The person's suitability for the action to issue from him and to be accepted from him" (Taysīr al-Taḥrīr). Combines scholarly competence, integrity,	To it must now media c algorithmic jurisprudence consequences, integrity.

Term	Classical Definition	Contemporary Epistemic (
	and personal qualities.	
Chaos (Fawḍā)	A disorder in the discharge of functions, or an entanglement between parties for whom no limit is recognized. Whoever issues fatwa without qualification is among its participants.	It has expanded "digital chaos" fragmentation authorities multiple digital isolation from t of eligibility section Six).

This table serves two functions: it summons the definitions at a glance, and it foreshadows the book's method — preserving the classical foundation while building atop it a contemporary layer that neither demolishes nor replaces it.

Sub-section Six: A Proposed Definition of Digital Chaos

We addressed in Sub-section Four the definition of chaos as "a disorder in the discharge of functions and duties, or an entanglement between parties for whom no limit is recognized." This classical definition is correct at its root, but it is inadequate to absorb the new shape that chaos has taken in the digital sphere. The inadequacy lies not in the definition itself, but in the depth of horizon it did not envision — a fragmentation crossing borders and continents.

Toward a Contemporary Definition

We propose here a contemporary definition of "digital chaos" in fatwa-issuance:

Digital chaos in fatwa-issuance: the fragmentation of fatwa authorities and their dispersal across multiple digital

actors in isolation from the controls of eligibility, accompanied by the absence of an objective mechanism for distinguishing the qualified from the unqualified in the open sphere.

Let us unpack the components of this definition:

(1) "Fragmentation of Fatwa Authorities"

In earlier eras, fatwa authority was centralized: a particular school, a specific imam, an accredited Dar al-Iftā'. Today, this authority has fragmented into thousands of points: every Facebook page, every YouTube channel, every TikTok account, every personal blog — their holders claim, or are claimed for, authority in fatwa-issuance.

This fragmentation is not mere plurality but scattered plurality: there is no unified methodology to gather it, no recognized

institution to govern it, no agreed-upon principles to regulate it. Here the concept slides from "praiseworthy plurality" into "harmful dispersion."

(2) "Multiple Digital Actors"

The "digital actor" is a broader concept than "mufti." It includes several classes:

- The mufti in the traditional sense who has moved to the platforms.
- The preacher whose role has broadened to include fatwa — though he may not be qualified for it.
- The religious influencer whom fame reached before knowledge did.
- The content creator who produces religious content by the logic of follower counts, not the logic of eligibility.
- And most recently: the Large Language Model (LLM) which answers religious

questions on behalf of humans, without intention, without aim, without taqwā.

All of these are "actors" in the production of fatwa, and each contributes — knowingly or unknowingly — to the shaping of the religious consciousness of the public. This multiplicity of actors is what renders digital chaos more complex than its classical counterpart.

(3) "In Isolation from the Controls of Eligibility"

This is the central knot. In the classical system, eligibility was a precondition: only one who had passed its stations (legal capacity, scholarly knowledge, personal qualities) could take up fatwa. In the digital sphere, the relationship has inverted: fame arrives before knowledge; spread precedes qualification; the public assumes a role that once belonged to scholars — that of certifying the muftis.

This is not a critique of the public but a description of a structural shift. In the classical system, "consensus" about a scholar's eligibility formed slowly, across decades, through the testimony of peers and students. In the digital sphere, "popular consensus" on the eligibility of an actor forms in weeks, through likes and follows, with no involvement of scholars at all.

(4) "Absent an Objective Mechanism for Distinction"

In classical satellite channels there was a minimum of institutional oversight: the channel selected its guests and bore some responsibility for their errors; there was often a religious oversight committee that could intervene. In today's open sphere, the algorithm selects whom to expose, by the logic of spread rather than the logic of eligibility. The questioner has no objective tool for

distinguishing those worth asking from those who are not — unless he himself learns that tool, which Chapter Ten addresses.

Distinguishing Classical Chaos from Digital Chaos

It is useful to distinguish the two chaoses, for each has a different nature and calls for a different remedy:

Aspect	Classical Chaos	Digital C
Scope	Local — confined to a country or city.	Global — cross and continer hours.
Speed	Accumulates across decades.	Spreads within
Impact	Affects a small number of individuals.	Affects mil seekers.
Monitoring	Scholars can monitor and treat it through local institutions.	Hard to moni fragmentation thousands of p
Responsibil	Known by name; can be	Often unkr

Aspect	Classical Chaos	Digital C
ity	held socially accountable.	multiple; pse actors spread.

This distinction is not merely theoretical; it has juristic consequences. A locally "aberrant" fatwa may die quickly through the surrounding scholarly institutions. A digitally aberrant one, by contrast, may persist for years, accumulate its effects, and generate what might be called "parallel jurisprudence" — arising outside accredited institutions and circulated by the public as if it were "the ruling of the Sharia."

Sub-section Seven: The Digital Mustaftī

What most astonishes in the development of digital fatwa-issuance is not the transformation of the mufti, but the transformation of the mustaftī. Our classical jurists left us "the etiquettes of the questioner": to choose the most knowledgeable; to be truthful in his inquiry; to abide by the fatwa; not to move from one mufti to another seeking a dispensation. These etiquettes were built upon an implicit assumption: that the mustaftī seeks the religious ruling in order to act upon it.

But the contemporary digital mustaftī differs at root from this model. His description warrants a sub-section of its own — for, as we shall see, this is a structural transformation in the nature of the relationship between the questioner and the Sharia.

(1) Speed of Reception

The classical *mustaftī* would ask and then wait. The imam might take a day or a week to research, then answer. That waiting was part of the discipline: it placed the questioner before the seriousness of his question.

The digital *mustaftī*, by contrast, expects an instantaneous answer. He opens ChatGPT, types his question, and receives an answer in seconds. This speed, despite its practical advantage, eliminates a deep formative dimension: the waiting for knowledge, and the psychological preparation to receive it. The religious ruling becomes, in his consciousness, like any other piece of information he gleans from a search engine — not a trust bearing eschatological consequences.

(2) Fragmentation of the Question

In classical fatwa-issuance, the question was posed with its full context: the questioner mentioned his situation, his intention, his country, his circumstances, the disputed details. This detail allowed the mufti to issue a fatwa specific to the questioner's particular state.

Today, the question fragments in a troubling way: the mustaftī asks about "the ruling on bank interest" without specifying the nature of the bank, the type of account, the interest rate, or the purpose of the deposit. He receives a general answer that may not apply to his case. He then asks on another platform about "working at a company that owns a bank," and on a third about "the housing loan in America," without linking these questions into a single integrated consultation with a mufti who knows him and his condition.

The result: an approximate answer to each question, and the absence of the precise answer that emerges from integrated context.

(3) Moving Between Fatwas (Fatwa Shopping)

A contemporary term has emerged in English-language academic literature: "Fatwa Shopping" — the *mustaftī* posing his question to several authorities, gathering their answers, and selecting from among them what accords with his desire.

This behavior, rare in earlier eras, has today become easy — even expected. Scholars of the Muslim communities in the West have noted this phenomenon especially: the questioner approaches several *shaykhs*, leaves the one who said "no," and clings to the one who said "yes." This strips the fatwa of one of its most important functions: education and the reform of the self. It returns the fatwa to the function

of psychological licensing for what the questioner desires.

(4) The Mustaftī as Content Consumer

This is the most dangerous transformation. The mustaftī no longer asks because he wishes to act; he consumes religious content as he consumes any other digital content — for entertainment, for curiosity, for argument, for diversion. The fatwa exits the frame of "practical knowledge" and enters the frame of "edutainment."

Thus many who listen to fatwas of satellite channels and TikTok clips do not intend to apply what they hear; they intend "to be informed." This fundamentally changes the relationship of the public to the Sharia, and converts what was "binding evidence" into something resembling "opinion" in general matters. The statement of the scholar and the

statement of the attention-seeker are equalized in their eyes, because the aim is not to act but to follow.

(5) The Mustaftī as Publisher

Finally, the mustaftī is no longer merely a recipient; he has become a publisher. If a fatwa pleases him, he shares it on his social platforms, convinces his friends of it, introduces it into their debates. Thus the fatwa — however weak its chain — becomes part of the cognitive system of society, circulated by people as "the ruling of the Sharia," while no one knows whence it came, who issued it, or what its evidence was.

It is observable that the mustaftī, when he publishes, does not necessarily publish what he is scholarly convinced of; he publishes what aligns with his desire. He thus recommends to society what he wishes people to believe, not what is sound in scholarly examination. From

this accumulates in digital societies what might be termed "a popular consensus on the false" — a consensus born of much circulation, not of scholarly investigation.

Conclusion of the Chapter

What we have presented in the two new subsections (Six and Seven) demonstrates that "fatwa," "mufti," and "mustaftī" — in their classical garments — do not encompass the digital reality in its entirety. These concepts require contemporary appendices that complete their structure rather than dismantle it. The foundation remains fixed in the definitions of al-Qarāfī and al-Shāṭibī; the contemporary addition absorbs digital fragmentation and the new questioner.

In the next two chapters we move from concepts to application: the personhood of the mufti (Chapter Two) — where we examine the inherited conditions of legal capacity, scholarship, and character, and add to them the Compound Qualifications of the contemporary mufti. Then the ranks of the mujtahids (Chapter Three) — where we

extract Footnote 26 from the shadow of the main text into the light of a standalone chapter, and add the Contemporary Seventh Rank: the Collective Institutional Mujtahid.

With this conceptual foundation, the reader becomes equipped to receive the book's subsequent themes with a single vocabulary, and with a shared awareness that what we propose is not a re-cataloguing of what the early scholars said, but a building above their work to address questions that did not occur to them.

— *End of the First Draft of Chapter One (Contemporary Additions)* —

(Chapter Two — Draft v0.1: Contemporary Additions)

Chapter Two: The Personhood of the Mufti — Between the Conditions of Legal Capacity, Knowledge, and Character

(This file contains the contemporary additions to Chapter Two, which are to be merged with the three classical sub-sections drawn from "The Etiquettes of the Mufti" — see Part Three of the Original Manuscript, draft v1.0.)

A Prelude to the Chapter: From Conditions to Qualifications

In the previous chapter we stood upon the foundational concepts: What is fatwa? Who is the mufti? Who is the mustaftī? What is eligibility? What is chaos — in its classical and digital forms?

Now we advance a step: What is the personhood of the mufti? What are his conditions and qualities?

Our classical jurists furnished us with a tight architecture for this personhood, composed of three layers of conditions:

- Conditions of legal capacity (al-shurūṭ al-taklīfiyya): Islam, post-pubescence (bulūgh), sound intellect — the foundation of every Sharia obligation.

- Conditions of knowledge (al-shurūṭ al-‘ilmiyya): knowledge of the proofs of rulings (Qur'an, Sunna, ijmā‘, qiyās) and the instrumental sciences (grammar, language, scholarly disagreement).
- Personal qualities (al-ṣifāt al-shakhṣiyya): eight ethical and methodological attributes detailed in their writings — equity (al-inṣāf), soundness of mind, integrity of conduct, awareness of context, observance of custom (‘urf), moderation, absence of partisan attachment, and observance of the higher objectives (maqāṣid).

This triple architecture is sound in itself, and each condition has been written about by the imams in ways that need not be repeated. Therefore, the goal of this chapter is not to re-instruct in these conditions — whoever wants them in detail should return to Part Three of

the revised original manuscript ("The Etiquettes of the Mufti").

Rather, our goal is to add to the triple architecture a fourth layer, dictated by the nature of the era we live in: The Compound Qualifications of the Contemporary Mufti. This is the subject of Sub-section Four — the substance of this chapter.

The claim we put forward here — and it is a sizable claim that we will defend in the sub-section — is this:

The classical triple conditions, though they remain necessary for anyone undertaking fatwa-issuance, are no longer sufficient in our age. The mufti who combines them all may today fail in his mission if he is ignorant of new dimensions called for by the nature of fatwa-issuance in the digital sphere.

If sound, this claim carries practical consequences for those who choose to practice fatwa-issuance in the digital sphere, for the institutions that stand at the head of that sphere, and for the public who receives from them. Let these consequences unfold with us in the pages that follow.

Sub-section Four (A Substantive Addition): The Compound Qualifications of the Contemporary Mufti

Prelude: Why "Qualifications" and Not "Conditions"?

We have chosen for this addition the name "the Compound Qualifications," not "the New Conditions." The distinction is precise and deliberate:

- **Conditions:** what, if lost, voids eligibility. The classical conditions (legal capacity, knowledge, character) are of this kind.
- **Qualifications:** what, if lost, diminishes competence and weakens performance, but does not nullify eligibility. What we propose here is of this kind.

Why the distinction? Because we do not claim that every mufti who lacks these qualifications is barred from fatwa-issuance — that would be excessive. We claim, rather, that the mufti of digital space — the one who chooses to practice fatwa-issuance across the platforms — is bound by these additional qualifications, just as the judge is bound by additional qualifications beyond those required of the mufti.

"Specialization in digital fatwa-issuance" is a new occupation with its own requirements. Whoever is not armed with them — better that he leave the platforms to their people. No blame is on him in Sharia; rather, it is better for him.

What follows is a presentation of these five qualifications, with an analysis of each: its definition, its necessity, and what occurs in its absence.

Qualification One: Media Competence

Definition

Awareness of the mechanisms of digital spread, excerpting, and reframing to which a fatwa is subjected after its issuance on the platforms.

Necessity

A fatwa departs from the mufti in a specific formulation, in a specific context, to answer a specific question. But what ultimately reaches the public may be something altogether different:

- Part of a sentence, excerpted from its context.
- A still image extracted from a long video clip.
- A strong phrase reinforced by a dramatic tone in editing.

- A summary by the pen of a hasty editor.
- A translation into a language other than the original of the fatwa, which may fail to convey precise nuance.

The classical mufti knew who would hear his fatwa, because the audience was bounded. The mufti on the platforms, by contrast, casts his word into an open space, where algorithms seize upon it and redistribute it in patterns over which he has no control.

What This Qualification Requires Practically

- Understanding that every word will be heard apart from its context — and planning for that in advance.
- Avoiding "provocative" phrases that are easy to excerpt as weapons.

- Structuring the fatwa in a sequence such that excerpting a portion strips it of meaning — defeating the excerpter.
- Anticipating what media editors and influencers will fasten upon.
- Distinguishing between the spoken word (perhaps less binding to refine) and the published word (whose full responsibility he carries).

In Its Absence

Fatwas come forth coherent at their root yet cause wide harm after being excerpted. How many a mufti has been wronged by the media through erroneous comprehension of his statement! The responsibility for repelling that lies not on the media alone but on the mufti too, if he knew this would happen and took no precaution.

Qualification Two: Psychosocial Awareness

Definition

Understanding the psychology of the questioner and the motives of his question, and the social context upon which the answer descends.

Necessity

The mustaftī does not always ask because he wishes to know the religious ruling in order to act upon it. Often he asks for other reasons:

- To confirm what he is already doing (rationalization).
- To learn the ruling in order to avoid it (probing limits).
- To register a position in argument with others.
- To embarrass the mufti or test him.

— To consume content for entertainment or curiosity (as we saw in the chapter on the digital mustaftī).

The mufti who always presumes that the question is "innocent" may issue fatwas correct in theoretical ruling but harmful in actual context. This is, in fact, a complete jurisprudential school to which Ibn al-Qayyim alluded when he spoke of "the jurist son of a jurist" who knows whom he is issuing fatwa for before he knows what he is issuing fatwa about.

What This Qualification Requires Practically

- Training in reading the motives of a question from its formulation.
- Knowledge of social psychology, at least at an applied level.

— The capacity to redirect a question toward what benefits the questioner rather than only what he asks.

— Caution against "linguistic entrapment"
— where the questioner poses a question that presupposes a particular answer, and the mufti slides into the answer pre-charted for him.

In Its Absence

The fatwa devolves into a machine operating by the logic of "if/then," no longer a human relationship that understands the questioner and treats his situation. The young Muslim today does not flee strict fatwas; he flees fatwas that fail to understand his question at all.

Qualification Three: Technological Literacy and Its Limits

Definition

Knowledge of the operations of digital platforms, algorithms, and artificial intelligence, and of the extent to which technology can produce religious content.

Necessity

The mufti on the platforms operates in an environment engineered by technologists for non-religious aims (advertising, engagement, screen time). Understanding this engineering grants the mufti the capacity to use the platform rather than be used by it.

In 2018 (the date of our original paper) this qualification was secondary. Today, with the rise of generative artificial intelligence, it has become essential. What can a Large Language Model (LLM) answer? What can it not answer?

When does it hallucinate? How does it handle religious texts?

These questions were not on the table four years ago and have today become central to the mufti's work. We will detail them in Chapter Six, dedicated to artificial intelligence. But the mufti who is ignorant of them works blind in an open sphere.

What This Qualification Requires Practically

- A foundational grasp of the logic of algorithms: what they promote and what they marginalize.
- Awareness of the difference between a model that "recalls" religious texts and one that "predicts" them statistically.
- Awareness of the "hallucination" phenomenon in generative models, and its impact on the accuracy of religious answers.

— Personal experimentation: it does not suffice for the mufti to hear about ChatGPT; he must use it himself to know its limits firsthand.

— The distinction between "informational assistance" — which may be drawn upon — and "substituting for the mufti" — which is not permissible.

In Its Absence

The mufti issues fatwas about "artificial intelligence" upon a false conception of its nature, so the fatwas come forth either dangerously permissive or unjustifiably restrictive. Both are mistaken.

Qualification Four: The Jurisprudence of Digital Consequences

Definition

An application of the rule of "considering consequences" (al-naẓar fī al-ma'ālāt) — well-known among the uṣūlīs, and to which Imam al-Shāṭibī devoted attention in al-Muwāfaqāt — to the digital sphere.

The Classical Root

Fiqh al-ma'ālāt in our tradition means: looking into the consequences to which an action leads, before judging it. Were an action outwardly permissible but leading to a preponderant evil, the ruling inverts. Al-Shāṭibī ranked this rule among the most important attributes distinguishing the perceptive mufti from the obtuse.

Digital Application

When the mufti issues a fatwa on a platform, he must ask before voicing it: What are the consequences? What will happen in an hour, a day, a week? Who will use this fatwa? In what context? Examples:

- A general fatwa about "the permissibility of such-and-such" may be used by a group to justify what is not in fact permissible for them.
- A lenient fatwa on a matter may lead to wide behavioral degradation.
- A strict fatwa may alienate categories of young people from religion altogether.
- A fatwa may give a "debating weapon" to a faction using it in its struggle with another.

What This Qualification Requires Practically

- Training in "consequentialist thinking"
- sketching the curve of a fatwa's spread and effects before voicing it.
- Mental simulation: If I were a listener, how would I understand this fatwa? If I were a media editor, how would I use it? If I were a hard-liner, how would I use it? If I were a libertine, how would I use it?
- Readiness to issue intentionally reserved fatwas, because digital consequences cannot bear open-ended answers.

In Its Absence

Fatwas come forth correct in themselves yet generate massive chaos because consequences went uncalculated. This is, in my estimation, the most neglected

qualification in contemporary digital fatwa-issuance.

Qualification Five: Media Integrity

Definition

The mufti's responsibility for the manner in which his fatwa is conveyed — even after its issuance — and the recognition that all that issues from his mouth may be abridged, transmitted, translated, and distorted.

Necessity

In the classical system, the mufti's responsibility ended at the moment of issuance. What occurred thereafter in transmission or distortion was the transmitter's burden, not the mufti's. This was just, because the mufti cannot follow every conveyor.

Today, the line dividing "mufti" from "publisher" has weakened. If the mufti issues

a fatwa on his own channel (YouTube, TikTok, the website), he is the first publisher. What occurs in excerpted and republished versions also carries a portion of his responsibility. This is an evolution in the conception of "jurisprudential responsibility" worth pondering.

What This Qualification Requires Practically

- Following how the fatwa is transmitted after its issuance, rather than merely issuing it and walking away.
- Issuing clarifications when the fatwa is excerpted or distorted.
- Correcting what is attributed to him in error — on the same platform, and with tools of similar reach to the source.
- Training the auxiliary team (editing, marketing, translation) in how to convey the fatwa without distortion.

— Using "verification" tools — such as accredited fatwa banks — to facilitate confirmation that a fatwa is rightly attributed.

In Its Absence

There emerges what might be called "the hybrid fatwa" — a fatwa attributed to a scholar, but in reality a composite of several mixed fatwas, or an original fatwa into which distorting commentary has been merged. This happens frequently today, and may afflict major scholars whether living or dead — sayings being attributed to them they never said.

Conclusion of Sub-section Four

These five qualifications are not intellectual luxuries but practical necessities for whoever chooses to practice fatwa-issuance in the

digital sphere. They differ from the classical conditions in their nature:

- The classical conditions are personal (one possesses or lacks them).
- The contemporary qualifications are personal + acquired + continuous (they require renewal with every new technical development).

Thus the mufti who has withdrawn from the platforms and does not practice fatwa-issuance upon them is not bound by these qualifications (though they would still be useful for his understanding of his era). But whoever chooses to be "present" in the digital sphere has committed himself — knowingly or not — to these additions.

Here we arrive at a structural claim: were we to place these qualifications as a measure, many of today's celebrated "digital muftis" would step outside the circle. This is not a

slight upon their learning; it is a description of their performance in the sphere they chose to lead. Whoever recognizes this and withdraws from the platforms is more beloved to God than one who sits upon them ignorant of their dangers.

Conclusion of the Chapter

The personhood of the mufti is a layered architecture. The first layer is one of legal capacity (Islam, post-pubescence, sound intellect) — fixed, unchanging. The second is one of knowledge — requiring today that the mufti expand into bodies of knowledge unknown to the early scholars. The third is personal (the eight qualities) — unchanging in essence, though requiring new applications in the digital sphere.

Above these three layers comes the fourth: the Compound Qualifications of the Contemporary Mufti — the Media Competence, the Psychosocial Awareness, the Technological Literacy, the Jurisprudence of Digital Consequences, and the Media Integrity. Not a replacement of what came before, but its completion. The new qualifications do not annul the classical conditions; they require

that one who combines those conditions also be qualified by these.

In the chapters ahead, the book moves from grounding the jurisprudence of fatwa-issuance to dissecting contemporary chaos (Chapter Four), to the ethics of digital content (Chapter Five), to artificial intelligence (Chapter Six), to the fiqh of minorities (Chapter Seven), and to the collective fatwa ecosystem (Chapter Eight). Then Part Three opens the door to practical evaluation and proposals.

The cognitive system we have built in the first three chapters — Foundational Concepts, Personhood of the Mufti, and Ranks of the Mujtahids — represents our shared vocabulary, upon which we will rely in what follows. Whenever we return to a concept among them, the reader will know what we mean.

— *End of the First Draft of Chapter Two
(Contemporary Additions)* —

(Chapter Three — Draft v0.1)

Chapter Three: The Ranks of the Mujtahids and the Limits of Issuing Fatwa Through Taqlid

A Prelude to the Chapter: Why a Standalone Chapter?

In the original paper presented to AMJA in 2018, the discussion of "the ranks of the mujtahids" appeared within a long footnote (number 26) that extended across three pages of the main text and broke the flow of reading.

As we surveyed the scholarly conditions required of the mufti, we collided with the need to define *ijtihād* and the ranks of the mujtahids — a degree of detail that deserves to stand at the forefront rather than hide in the tail.

One of the features of this book is that it extracts that valuable content from the shadow of the footnote into the light of a standalone chapter, and adds to it a contemporary layer indispensable to it: the Contemporary Seventh Rank — namely, the Collective Institutional Mujtahid. This is a model unknown to the early scholars but which the circumstances of our present age have called forth, given the compounded complexity of contingencies and the inability of any single individual, however high his aspiration, to encompass them all.

The chapter's sub-sections will be four:

- Sub-section One: Defining ijtihād linguistically and technically — a survey of eight definitions from the imams, with the author's chosen definition.
- Sub-section Two: The six ranks of the mujtahids in the inherited classification — with contemporary commentary on each rank.
- Sub-section Three: The Contemporary Seventh Rank — the Collective Institutional Mujtahid.
- Sub-section Four: A comparative table gathering all seven ranks.

Sub-section One: Defining Ijtihād Linguistically and Technically

First: Ijtihād Linguistically

Ijtihād linguistically is derived from the root j-h-d (with ḍamma on the jīm), meaning the exertion of effort (juhd) — capacity. Or with fathā on the jīm, meaning bearing hardship (jahd) — toil. Thus ijtihād linguistically is: the exertion of effort, the maximal expending of capacity in achieving some difficult matter, whether in sensible matters such as walking and labor, or in immaterial matters such as extracting a ruling or a rational, religious, or linguistic proposition (Lisān al-‘Arab, root jhd; al-Miṣbāḥ al-Munīr).

Second: Ijtihād Technically

The phrasings of the uṣūlīs differed in defining ijtihād, though they share the same essential meaning. Some defined it as a verbal noun pointing to the act (that is, the act of the mujtahid) — and this is the view of the majority and what al-Ghazzālī recorded in al-Mustaṣfā. Others defined it nominally, as a description of the mujtahid himself: "a faculty (malaka) by which one is empowered to extract the practical religious rulings from their detailed proofs."

We survey eight definitions from the imams of uṣūl, then conclude with a synthesizing definition:

(1) Al-Shāṭibī: "The exertion of effort in attaining knowledge or probability concerning a ruling." [al-Muwāfaqāt 5/51]

(2) Al-Rāzī: "The exertion of effort in inquiry into that for which no blame attaches, while

having exerted maximal effort in it." [al-Maḥṣūl 6/6]

(3) Al-Qarāfī: "The exertion of effort in inquiry into that for which religious blame attaches." [Sharḥ Tanqīḥ al-Fuṣūl 429]

(4) Al-Āmidī: "The exertion of effort in seeking probability concerning some of the religious rulings, in a manner that one senses inability for more." [al-Iḥkām 4/162]

(5) Ibn al-Ḥāḥib: "The jurist's exertion of effort to attain probability concerning a religious ruling." [Mukhtaṣar al-Muntahā 3/288]

(6) Ibn Muflīḥ: "The jurist's exertion of his capacity to grasp the religious ruling." [Uṣūl Ibn Muflīḥ 3/923]

(7) Ibn al-Subkī: "The jurist's exertion of effort to attain probability concerning a ruling." [Jam' al-Jawāmi' with the commentary of al-Maḥallī 4/332]

(8) Ibn Juzayy: "The exertion of effort in inquiry into the religious rulings." [Taqrīb al-Wuṣūl 421]

The Chosen Definition

In an attempt to reconcile these definitions, I choose — and God knows best —:

Ijtihād: the exertion of effort in inquiry, and the attainment of knowledge or probability concerning some of the religious rulings, in such a way that no religious blame attaches to him, and he does not sense an inability in himself.

In this definition, several elements are joined:

- The element of effort ("the exertion of effort") — emphasizing the inherent labor of the mujtahid's work.
- The subject matter of *ijtihād* ("the religious rulings") — specifying the epistemic field.

— The output of *ijtihād* ("knowledge or probability") — recognizing that *ijtihād* is not always categorical.

— Its limits ("that to which no religious blame attaches, and from which he senses no inability") — recognizing methodological discipline.

Sub-section Two: The Six Ranks of the Mujtahids in the Inherited Classification

The people of uṣūl agreed that the mujtahids are not one stratum but graded ranks according to the degree of independence and scope of ijtihād. Some scholars listed more than six ranks; others listed fewer. I select in this chapter the six-fold classification because it is the most balanced and most well-known. In Sub-section Three I append to it the Contemporary Seventh Rank.

(1) The Independent Mujtahid (al-Mujtahid al-Muṭlaq)

Al-Suyūṭī said: "He is the one who has become independent in his rules for himself, building upon them the fiqh apart from the established rules of the school."

It is stipulated of him: knowledge of the Book of God, the Sunna of His Messenger ﷺ, and the sayings of the Companions; then knowledge of the principles of jurisprudence and the instrumental sciences in their fullest measure; ample mastery of language and the places of consensus and divergence; not being an imitator (muqallid) of another, but rather a mujtahid in the principles of his school, not following anyone in them except by some incidental agreement; and his ijtihād not being confined to one chapter of fiqh; and that knowledge of the modes of evidence and the manners of extracting rulings from their wording and meaning suffices him. [Uṣūl al-Fiqh al-Islāmī, Wahba al-Zuḥaylī, p. 1079]

This is the highest and most exalted rank, the rank of the Four Imams and their peers. The majority of contemporary scholars hold that

this rank is nearly extinct in our times, or as rare as red sulfur.

(2) The Affiliated Independent Mujtahid (al-Mujtahid al-Muṭlaq al-Muntasib)

He is one attributed to an imam because he has trodden that imam's path in *ijtihād*, not imitating him in school or proof, but rather having exerted *ijtihād* and found his path the soundest. He is so named in consideration of the fact that he is an independent mujtahid restricted within the school of him to whose lead he has yielded — a mujtahid in knowing his imam's fatwas, sayings, sources, and principles, without himself possessing in extraction a unique methodology, but rather committing to the path of another mujtahid by way of coincidence or concurrence.

The original is that he has independent *ijtihādāt* of his own, differing from his imam in

them, though agreeing with him in the general principles and many of the particulars — as Abū Yūsuf and Muḥammad b. al-Ḥasan agreed with Abū Ḥanīfa in the path though they differed from him in many particulars; it is even said that this constitutes two-thirds of the school.

(3) The Mujtahid Within the School (al-Mujtahid fi al-Madhhab)

He is one who knows fiqh, its principles, and the proofs of the rulings in detail; perceptive in the paths of analogical reasoning and meanings; thoroughly practiced in derivation and extraction; yet imitating his imam in what is manifest in his text, on the basis of what he knows of his imam's rules and his mastery of his imam's fatwas. He does not transgress his imam's sayings or contradict them, and where he finds the imam's text he does not deviate from it to another nor seek out a contradicting

proof, as the independent mujtahid does in regard to texts.

Ibn al-Qayyim, however, sharply criticizes those of this rank, saying: "And the case of these people is astonishing: how did their ijtihād bring them to the conclusion that their imam is the most knowledgeable, that his school is the strongest, and that correctness orbits around him, while their ijtihād did not bring them to look into the speech of God and His Messenger ﷺ, extract rulings from it, and prefer what the text supports?"

Ibn Rushd vehemently refuses to make what is not a principle into a principle to be analogized upon, saying: "The difference between these people and the common folk is that they memorize the opinions of the mujtahids and convey them to the common folk, without themselves possessing the conditions of ijtihād. Their rank is, in this regard, the rank

of transmitters from the mujtahids. Had they stopped at this, the matter would have been more fitting. But they transgress, analogizing matters about which no ruling was conveyed from their imitators upon what was conveyed from them, thus making into a principle what is not a principle, and turning the sayings of the mujtahids into the principles of their ijtihād. Sufficient is this as misguidance and innovation."

(4) The Mujtahid of Weighing and Issuing Fatwa (Mujtahid al-Tarjīh wa al-Futyā)

He is the deeply learned within his imam's school, capable of weighing one statement against another, one position from among the positions of the companions against another. Together with his being deeply jurist-minded and a memorizer of his imam's school, he is capable of envisioning, refining, establishing,

paving the way, and weighing among what the imam said, what his students said, and what other imams said. By means of this kind of mujtahids it became possible to meet what people needed across various ages in rulings — through what they were able to do of comparison and weighing among the sayings of the jurists and their paths.

(5) The Stratum of Imitators Capable of Discrimination

These are those capable of discriminating between the strong and weak issues within the school. They possess a generous share of fiqh; their knowledge of their schools enables them to identify the strongest, the strong, the weak, the apparent school, and the rare narration — like the writers of the established texts among the later scholars.

(6) The Mujtahid in a Particular Issue or Issues

He is the partial mujtahid (al-juz'ī) who has not reached the rank of ijtihād in all issues but has attained that rank in a specific issue, a specific chapter, or a specific discipline, while being ignorant of what lies outside that. This rank may well suit our age, in which sciences have specialized and deepened, so that it is impractical for one individual to encompass all chapters of fiqh in deep mastery.

Sub-section Three (New): The Contemporary Seventh Rank — The Collective Institutional Mujtahid

The classical six-fold classification we presented in the previous sub-section was crafted by jurists who lived in an era radically different from ours. Their contingencies arose slowly, were confined to a particular country or region, and concerned matters that an empowered jurist could encompass alone.

Today, the contemporary nawāzil have a different nature: composite, transcending borders, calling for multiple specializations (medicine, economics, computing, psychology, international law), and arising at a pace beyond the individual jurist's capacity to track. From this emerged the need for what we here name "the Contemporary Seventh Rank" in the

ranks of mujtahids: the Collective Institutional Mujtahid.

First: The Definition

The Collective Institutional Mujtahid: an organized collective entity, in which a number of mujtahids and specialists gather, within a recognized institutional framework, to issue religious resolutions in matters of public consequence, according to an established methodology and through a collective published output.

We unpack the components of the definition:

- "Organized collective entity": not an individual, but a council, committee, or academy.
- "Mujtahids and specialists": not restricted to jurists; it admits physicians, economists, and technologists when needed.

- "A recognized institutional framework": separate from individual actors; possessing legal personality.
- "Religious resolutions in matters of public consequence": not concerned with the individual's fatwa, but with the major issues of the Ummah.
- "An established methodology": not subject to improvisation or personal estimation.
- "A collective published output": issues forth a resolution attributed to the institution, not to individuals, and published with its proofs.

Second: The Foundational Roots of Collective Ijtihād

This is no contemporary novelty; it has firm roots in our jurisprudential and historical heritage:

- The shūrā commanded by the Qur'an: "And their affair is by consultation among themselves"; "And consult them in the matter" — a foundation for collective deliberation rather than unilateral judgment.
- The shūrā council that ‘Umar b. al-Khaṭṭāb established at his death to choose the caliph after him, comprising senior Companions.
- The work of ‘Umar in many of his issues was bound up with consulting the senior Companions — as in the questions of the conquests and the apportionment of lands.
- The Prophet's ﷺ gathering his Companions in the campaigns for counsel — as at Badr, Uḥud, and the Trench.
- The councils of scholars in the major Islamic centers: the Madīna school, the Kūfa school, the Baṣra school — where

the jurists of each school consulted one another concerning the contingencies before formally issuing the fatwa.

All of these are foundations indicating that collective *ijtihād* in major matters is no innovation but lies at the heart of the Islamic tradition. Contemporary jurists — such as al-Qaraḍāwī and al-Zuḥaylī — have judged it a recognized foundation capable of activation in our age.

Third: Contemporary Models

The contemporary Collective Institutional Mujtahid can be classified into three types:

Type One: The Major International Fiqh Academies

These are academies that include scholars from across the Islamic world, in which the votes of a single country yield to broad consensus. Among the foremost: the

International Islamic Fiqh Academy of the Organization of Islamic Cooperation, the European Council for Fatwa and Research (ECFR), and the Muslim World League at Mecca.

Type Two: The Regional and National Fiqh Bodies

These are bodies specific to a region or particular state, drawing strength from a deep knowledge of their local context. Among the foremost: the Assembly of Muslim Jurists of America (AMJA), to which the original paper of this book was presented; the Fatwa Committee of the Egyptian Dār al-Iftā’; the Permanent Committee for Scholarly Research and Issuing Fatwa in Saudi Arabia; the Diwān al-Iftā’ in Kuwait; and the General Iftā’ Department in Jordan.

Type Three: Multidisciplinary Fatwa Teams

This is an emerging form that gathers the mufti with a medical specialist, an economist, and a technologist, and is employed in addressing severely composite contingencies — such as genetic editing of embryos, complex Islamic finance, and digital transactions using blockchain technology. This type is still in development, but it is advancing rapidly with the rising complexity of contingencies.

Fourth: Differences Between Individual and Collective Ijtihād

A table summarizing the principal differences:

Aspect	Individual Ijtihād	Collective Institutional Ijtihād
Mujtahid	Specific individual (imam, scholar, mufti)	Institutional entity (academy, committee, team)
Output	Fatwa — may not come	Resolution/

Aspect	Individual Ijtihād	Collective Institutional Ijtihād
	with its detailed proofs	Recommendations typically with i
Methodology	Personal — differs from one mufti to another	Established and — published fo
Specialization	Generally pure jurisprudence	Jurisprudence specializations needed
Authority of Decision	Not strictly binding	Treated by people fatwa as a refer
Publication & Transparency	Limited — may not reach the public	Officially published books of recommendations resolutions
Speed	Fast — fatwa can be issued instantly	Slower — requires meeting and re time
Accountability	The mufti alone is held to account	The institution account; individual responsibility n dissolve

Fifth: Conditions of Legitimacy for Collective Ijtihād

For collective ijtihād to be considered authoritative and productive of reliable rulings, conditions must be met:

(1) Eligibility conditions in the members. The Collective Institutional Mujtahid is an institution, but it is composed of individuals each of whom must be — within his specialty — qualified to investigate. The mufti must be a mufti; the technological specialist must be a specialist. Otherwise the academy becomes a formal assembly without spirit.

(2) An established and documented methodology. There must be a clear method for arriving at a resolution: How is an issue presented? How is opinion gathered? What is the quorum? What is the relationship between the majority and the minority? Are the minority's views published?

(3) Financial and political independence. The Collective Mujtahid requires an independence that preserves him from the pressures of funding and politics. Whenever it is mortgaged to a funder or a political body, it loses its scholarly credibility.

(4) Publication and transparency. The academies' resolutions are published with their proofs, so that students of knowledge and researchers may examine and discuss them. This transparency is what distinguishes a fiqh academy from a closed institution.

(5) A mechanism of revision. What happens if a resolution is later shown to be in error? The mechanism of revision is part of the institution's legitimacy. Academies that cling to their resolutions despite the evidence of error lose their credibility over time.

Sixth: When Is Collective Ijtihād the Most Fitting?

Not every issue requires collective ijtiḥād. Particular daily issues, personal contingencies, and instructive fatwas can be examined by the empowered individual mufti. But the issues that call for collective ijtiḥād are:

- Contingencies of wide impact: those affecting the entire Ummah or a large segment of it — such as the ruling on cryptocurrencies for the Muslim, vaccine rulings in pandemics, in-vitro reproduction.
- Composite contingencies: in which multiple specializations overlap — such as genetic editing, complex finance, and advanced medical technologies.
- Critical disputed issues: in which a decisive opinion is needed to settle

disagreement and unify the fatwa — such as the start of the month of Ramadan, or the ruling on working in mixed environments.

- New questions: which the early jurists did not investigate — such as virtual reality, artificial intelligence, and the complex transactions of the digital sphere.

Seventh: Challenges Facing Contemporary Collective Ijtihād

Despite its importance, contemporary collective ijtihād faces real challenges, which we name in honesty for the sake of completing the picture:

- Slow output: annual conferences may not suffice to keep pace with the rhythm of contingencies. Muslims may wait months for fatwas they need immediately.

- Limited reach: academies' resolutions reach students of knowledge and specialists, not the general public who consume fatwa through social media.
- Coordination among academies: the absence of a unifying mechanism among the various academies may produce "contradicting fatwas" at the global level, perplexing the questioner.
- Funding and independence: these remain among the greatest challenges. How do we secure for the fiqh academy an independent income that preserves it from the pressures of states and funders?

But these challenges do not negate the necessity of this new rank; rather they call for developing its mechanisms. This is what Chapter Eight (From the Individual Mufti to the Collective Fatwa Ecosystem) and Chapter Ten (Practical Roadmap) will address — where

we will propose practical initiatives addressing each of these challenges.

Sub-section Four (New): A Comparative Table of the Seven Ranks

We close this chapter with a visual table gathering the seven ranks of the mujtahids, to help the reader bring them to mind at a glance, and to indicate the position of each rank within the larger model. The table compares ranks across: nature of independence, source of knowledge, historical exemplar, and contemporary counterpart.

Rank	Independence	Source of Knowledge	Historical Exemplar	C
(1) Independent Mujtahid	Complete independence in principles and particulars	Book, Sunna, ijma', qiyas — directly	The Four Imams and their peers	N e t h o c r i
(2)	Independence	Methodology	Abū Yūsuf	S

Rank	Independence	Source of Knowledge	Historical Exemplar	
Affiliated Independent	Independence in particulars, affiliation in method	of his imam, with personal ijtihād	and Muḥammad b. al-Ḥasan with Abū Ḥanīfa	so th
(3) Mujtahid within the School	Restricted by his imam's school	The text of the imam with extension upon it	Authors of opinions and paths	Cry of so
(4) Mujtahid of Weighing & Fatwa	Weighing between the sayings of his imam or others	The accredited books of the school	Authors of the established texts	M m
(5) Imitator of Discrimination	Discrimination between the strong and weak in his school	The school's established texts	Scholars of instruction in the schools	A st k

Rank	Independence	Source of Knowledge	Historical Exemplar	
(6) Partial Mujtahid	Ijtihād in one chapter or matter	Deep specialization in one chapter	Specialists in chapters of fiqh	S a s
(7) Collective Institutional Mujtahid ★	Collective independence within the institution's methodology	Integration of disciplines: religious + scientific + social	Roots: shūrā, councils of the Companions	A F A E

★ The Seventh Rank is the proposed contemporary addition in this book, and it is not a substitute for the six ranks but a completion of them. The fiqh academy is in the end composed of individuals each of whom belongs to one of the preceding ranks; but the integration among them produces a level of

ijtihād that the individual cannot achieve alone.

Conclusion of the Chapter

We have seen in this chapter that the ranks of the mujtahids are not a fixed structure ending with the six set down by the uşūlīs but a living structure responsive to the needs of every age. The early scholars encompassed the ranks of the individual; our age needs a seventh rank that accommodates the collective and the institution.

This addition is no rebellion against the heritage but an expansion of it. The principles upon which the imams built their classification — independence of ijtihād, fulfillment of the conditions of eligibility, affiliation with or independence from a school — are the very principles upon which we build the Seventh Rank, only within a collective frame in which competencies cooperate.

In the next chapter we move from the ranks of the mujtahids to the personhood of the mufti

himself: his conditions of legal capacity, scholarship, and character, with the addition of the Compound Qualifications of the Contemporary Mufti — another addition worth reflection.

— *End of the First Draft of Chapter Three* —

(Chapter Four — Draft v0.1)

Chapter Four: The Chaos of Fatwa — A Contemporary Reading (2018 → 2026)

A Prelude to the Chapter: Two Readings of a Single Chaos

In the original paper presented to AMJA in 2018, we devoted a chapter to "The Chaos of Fatwa: Between the Classical and the Contemporary," in which we surveyed the reports of the early scholars on their dread of issuing fatwa, the words of the imams such as

Ibn al-Qayyim on the gravity of issuing fatwa without knowledge, and the problem that had taken shape on satellite channels at that time. That chapter remains sound in its grounding and present in its warnings. We have re-set it within Part Two of the revised v1.0 manuscript; whoever wishes its detail may return to it.

But what has occurred between 2018 and 2026 cannot be encompassed by what we wrote then. It deserves a new chapter entirely — one offering a contemporary reading of the chaos of fatwa in the digital sphere. Not because the chaos has changed in its essence, but because it has taken on new shapes that our classical jurists could never have envisioned — indeed, that we ourselves, eight short years ago, could not predict.

This chapter carries three tasks:

- First: to recall what the early scholars wrote, and what we wrote in 2018 — in a measured number of pages.
- Second: to describe five major transformations that have taken place in the fatwa space between 2018 and 2026.
- Third: to dissect five structural dimensions of "the new digital chaos" — providing an entry-point to the chapters that follow.

Sub-section One: What Remains from the Original

Before we proceed to contemporary analysis, we briefly recall what we wrote in 2018 and earlier — for it is the foundation upon which all that follows is built.

(1) The Reports of the Early Scholars on Their Dread of Issuing Fatwa

In the original paper, we surveyed five reports from the early generations attesting to their profound restraint in fatwa-issuance:

— Al-Barā' b. 'Āzib (may God be pleased with him): "I saw three hundred of the people of Badr, every one of whom would love that his companion suffice him in the matter of fatwa."

— Ibn Abī Laylā: "I encountered one hundred and twenty of the Anṣār from

among the Companions of the Prophet ﷺ; one of them would be asked about a matter, and would refer it to this one, and this one to that one, until it returned to the first."

— Abū Ḥanīfa: "Were it not for the awe of God most high that knowledge be lost, I would never have issued fatwa. They take the pleasantness and I the burden."

— Sufyān al-Thawrī: "We encountered the jurists, and they would hate to answer in matters and in fatwa-issuance, until they could find no escape from it."

— Imam Aḥmad: "Whoever exposes himself to issuing fatwa has exposed himself to a grave matter."

These reports do not indicate fear of fatwa-issuance but reverence for it. The early scholars did not abandon fatwa-issuance; they performed it with the gravity of one who

knows the weight of what he is about. This spiritual atmosphere — the restraint of the magnifier, not the trepidation of the ignorant — is what we miss in many of those who today take up fatwa-issuance.

(2) Ibn al-Qayyim on Issuing Fatwa Without Knowledge

The central text we cited in 2018 from Ibn al-Qayyim's *I'lām al-Muwaqqi'īn* is his statement: "It is not permissible for the mufti to bear witness against God and His Messenger that this one declared such-and-such permissible, or forbade it, or made it obligatory, or disliked it, except for what he knows to be such, of what God and His Messenger have indicated in its permissibility, prohibition, obligation, or dislike." And Ibn al-Qayyim cited a warning from the early scholars: "Let each of you beware lest he say: God has declared such-and-such permissible, or God has forbidden

such-and-such, and God says to him: You have lied — I did not declare such-and-such permissible, nor did I forbid it."

This warning, made in an age when issuing fatwa took a day or a week, today acquires a new and more urgent dimension. What will God say on the Day of Resurrection to one who issued fatwa in a thirty-second reel, attributing to Islam what is not of it? This is a point that deserves to be in the consciousness of every digital fatwa-presenter.

(3) The Problem of Fatwa Over Satellite Channels

In 2018 we wrote of the problem of "some who take up the platform of fatwa, whether on satellite channels or other social media platforms." We observed that they possessed scholarly knowledge sufficient to qualify them in a particular time and place, but they were issuing fatwas for a global audience whose

circumstances they did not know. That problem — though it remains true — has today become the smallest problem. For what has happened after 2018 has produced deeper and more dangerous problems, which we address in the following sub-section.

Sub-section Two: What Has Occurred Between 2018 and 2026 — Five Transformations

Between the talk we delivered in Houston in February 2018 and the writing of these lines in May 2026, eight years have passed — years that have produced transformations radically reshaping the equation of fatwa-issuance. We present here five transformations we consider pivotal, deserving to be engraved in the consciousness of the mufti of the age:

Transformation One: The Shift of the Center from Satellite Channels to Short-Form Video Platforms

In 2018, satellite channels were the stage. The public sat before the screen, following a religious program at a defined time. The fatwa took minutes, with detail and dialogue between questioner and mufti. It had a

structure: introduction, presentation of the question, answer, elaboration, conclusion.

Between 2019 and 2022, the short-form video explosion arrived. TikTok took over; YouTube launched "Shorts"; Instagram launched "Reels." The content the public receives shrank from minutes to seconds. The fatwa that took five minutes on satellite was now expected to take thirty seconds on TikTok.

This shift produced a radical change in the nature of the fatwa — not merely in its transmission:

— The killing simplification: the composite jurisprudential fatwa cannot be reduced to thirty seconds without losing the essence of fiqh. Details, exceptions, context, higher objectives — all collapse.

— Dialogue is erased: the questioner is no longer a party in conversation; he has

become a passive recipient of the ready-made fatwa.

— Visual capture rises: what spreads is what arrests attention — not what benefits. The "provocative" fatwa spreads more than the "beneficial" one.

— Stillness disappears: the short-form video is built on rapid pacing — there is no place for reflection. Reflection is a foundational principle of dealing with fatwa.

In 2018, satellite channels were the problem. Today, the satellite channels themselves have lost their influence — they have become "traditional" in the eyes of the new generation.

Transformation Two: The Rise of the "Religious Influencer" as an Actor Separate from the Scholarly Institution

In the classical model, the "mufti" emerged from the institution: from a university, a Dar al-Iftā', a jurisprudential school. The public trusted him because he had graduated from an accredited institution, his teachers had certified him, his peers acknowledged him.

In the new model — fully shaped after 2020 — the "mufti" no longer emerges from the institution. He arises in the digital sphere itself. He begins with a page, then a channel, then an audience of followers. The public itself certifies him — not the institution. Fame is the license — not chains of transmission.

This new actor — whom we call "the religious influencer" — differs essentially from the traditional dā'iya:

— The traditional *dā'īya*: emerges from a scholarly community, departs from a school consensus, his discourse is tied to a method.

— The religious influencer: emerges from himself, departs from his own instinct (and sometimes knowledge), his discourse is tied to his personal identity and his brand.

The religious influencer is not necessarily ignorant — some among them possess beneficial knowledge. But the problem lies in the logic of operation:

— He chooses his topics based on what will produce spread.

— He frames his speech by the logic of content, not the logic of *fiqh*.

— He offers "opinion" more than he offers "ruling," and finds his audience receiving it as ruling.

— He moves without an institution to review or correct him.

The result: hundreds of thousands of new muftis, none of whom is subject to a professional framework, none of whom bears responsibility for error, and none of whom encounters one to say to him "No" when he issues fatwa beyond his competence.

Transformation Three: The Collapse of Traditional Fatwa Authority Before the Attention Economy

In the classical model, fatwa authority flowed from three sources: knowledge, certification, and institutional recognition. All three integrate to produce a mufti the public trusts.

In the new model, authority flows from a single source: spread. Whoever attracts the audience is the authority. Whoever does not attract, has

no authority — even were he a venerable scholar.

This shift has generated new phenomena unknown to the jurists of our tradition:

— The scholar without an audience: a scholar acknowledged in his learning, but unable to find an audience that listens, and therefore having no influence on reality.

— The influencer without knowledge: a figure without serious scholarly training, yet possessing millions of followers and therefore exercising enormous influence on reality.

— The attention economy: in which every second of the audience's attention becomes measurable and purchasable, so the "fatwa" becomes a product competing with other products for the same attention.

— The algorithm as the engine of authority: automated recommendations decide who

reaches and who does not — not scholarly consensus.

The most dangerous result: the dissolution of what we have called "the scholars" as a class possessing authority. The scholars have become part of a larger system of "religious actors" who cannot monopolize influence but must compete for it.

Transformation Four: The Emergence of "the Culture of Religious Trending"

In classical fatwa-issuance, topics were chosen by the logic of need: What does the audience need to know? What are the actual contingencies? What are the priorities in shaping the Muslim?

In contemporary digital fatwa-issuance, topics are chosen by the logic of the trend: What are

people circulating? What attracts attention? What brings followers?

This transformation produced the phenomenon of the "trending fatwa": issues that may not be intrinsically important but spread because they are amenable to attractive controversy. The result:

- The fatwa concentrates on the inflammatory at the expense of the substantive.
- Foundational fiqh (prayer, zakāt, etiquette of interaction) receives less attention than provocative fiqh (matters of sex, politics, music, disputes between schools).
- The audience receives a distorted picture of religion, in which Islam appears as a set of polemical debates, not a complete educational system.

— What may be called "interactive jurisprudence" arises — built upon argument and provocation, instead of "foundational jurisprudence" built upon learning and formation.

Observers have noted that the topics around which the fatwas of social media revolve today — such as the ruling on certain musical instruments, women's haircuts, particular clothing, or a stance on a political contingency — absorb the attention of people in multiples of what is absorbed by the foundational questions of belief, moral education, and the purification of the soul.

Transformation Five: The Conversion of Certain Fatwas into Tools of Political and Ideological Mobilization

It is no secret to one who follows the contemporary Islamic reality that some fatwas

no longer emerge from a pure jurisprudential method but have become tools in a political or ideological battle. This is a dangerous phenomenon:

- Fatwas supporting one political authority at the expense of another, regardless of the jurisprudential truth.
- Fatwas targeting a competing Islamic current, motivated by suppression rather than reform.
- Fatwas harnessed to present a particular historical narrative serving an ideological project.
- Fatwas used to declare an opponent unbeliever, sinner, or innovator, more than they are used to guide behavior.

Classical jurists warned of "issuing fatwa by whim." With them, whim was personal — an individual desire. Today, whim assumes a collective form — the whim of the current, of

the group, of the political authority. In both forms, it is whim deviating the fatwa from its purposes.

This transformation — though the most dangerous to the mission of fatwa itself — is the hardest to remedy. For it does not pertain to executive mechanisms but to the intentions of actors. And the intention to issue fatwa for the truth is achieved only in a mufti who has purified himself from bias.

Sub-section Three: Dissecting the New Digital Chaos — Five Dimensions

Having surveyed the external transformations in the previous sub-section, we now turn to a structural dissection of what occurs within the digital fatwa itself. Chaos is not a single thing; it is five overlapping dimensions, each deserving separate analysis:

Dimension One: Chaos of Source — Who Issues the Fatwa?

In the classical space, the answer to "Who is the mufti?" was clear: the accredited scholar. Today the answer has fragmented. The mufti may be:

- An eminent scholar by every classical measure.

— A shaykh enjoying the support of his popular base, despite other scholars not granting him eligibility.

— A preacher emerging from an exhortatory background, answering jurisprudential questions without specialized training.

— An influencer without a religious credential, who has read some books or attended some lessons.

— An ordinary person without any training, answering questions in social-media comment sections.

— A robot (a Large Language Model) answering based on what it has learned from human texts, without comprehension or intention.

The *mustaftī* — in all these cases — receives an answer and often cannot identify its source. Therein lies "chaos of source": the absence of

the capacity to know "who the mufti is" in the fatwa that arrives.

Dimension Two: Chaos of Formulation — How Is the Fatwa Reduced to Thirty Seconds?

The jurisprudential fatwa in its original composition is a layered structure: introduction, depiction of the case, evidentiary argument, consideration of circumstances, detailing, exceptions, conclusion. This structure takes time, and requires patience of the mustaftī.

Short-form video platforms cannot bear this structure. The fatwa is reduced to:

- A brief title: "The ruling on such-and-such is permissible" or "such-and-such is forbidden" — without detail.
- A single sentence: from which exceptions and conditions drop.

- Absent argument: the viewer lacks patience for evidence, so it is dropped.
- Misleading visual framing: editing emphasizes one word, weakens another, suggests a meaning the mufti did not intend.

This "chaos of formulation" causes a single fatwa to come forth in different forms, depending on how it was formulated. A single issue may appear as "absolute prohibition" in one clip and "absolute permissibility" in another — both attributed to the same scholar!

Dimension Three: Chaos of Context — Excerpting and Repurposing

This is the most dangerous and widely spread dimension. The fatwa departs from the mufti in a specific context: for a particular questioner, in a particular time, under

particular circumstances. Then it is plucked from its context and returned to the public sphere such that:

- It becomes a general fatwa, though it was particular.
- It is applied to cases the mufti did not intend.
- It is used in political or ideological battles in which the mufti was no party.
- It is attributed to a scholar in a context that harms him, and he does not know.

How many a sound fatwa, issued in its place, has been turned into an instrument of sedition because someone excerpted it and used it in a battle in which he had no voice! The mufti may not know that his words are being used today in a sectarian war he was not waging.

Dimension Four: Chaos of Reception — Choosing the Fatwa That Pleases

We spoke in Chapter One of "Fatwa Shopping" — the *mustaftī*'s movement among fatwas. Here we deepen the meaning:

In the digital sphere, the *mustaftī* can pose his question to dozens of parties, gather their answers, then choose what accords with his desire. In some cases, he does not even pose the question; he searches YouTube for "the ruling on such-and-such" — receives dozens of videos, and selects the one that tells him "yes." This inverts the relationship of the *mustaftī* to fatwa:

— In the classical model: the *mustaftī* asks, the *mufti* answers, and the *mustaftī* commits to the answer (theoretically).

— In the digital model: the mustaftī consults the market; the fatwa shops itself "on offer"; he chooses what suits him.

This chaos cannot be cured by the mufti alone. Its cure requires educating the mustaftī — and this is what will be addressed in the chapters that follow, particularly Chapter Ten (Initiative Seven).

Dimension Five: Chaos of Accountability — Who Is Held Responsible if the Digital Mufti Errs?

This is the final dimension, and the most legally and ethically urgent. In the classical fatwa, the mufti was known by name, sat in a particular country, and belonged to an accredited institution. If he erred, people knew whom to hold accountable, and the institution might discipline him.

In the digital fatwa, responsibility fragments along several fronts:

- Who issued the fatwa: may be in another country, under a pseudonym, or anonymous.
- Who published it: a channel, an account, a page — it spreads through re-sharing, with no one claiming responsibility.
- The platform: does not consider itself responsible for user content.
- The algorithm: promotes content without human intervention, falling outside the logic of ethical accountability.

The result: If an anonymous figure on TikTok issues an aberrant fatwa, it spreads through millions of views, and millions of people follow it — who bears the burden of this misguidance? This is a fundamental question yet unresolved. We do not claim that this book

will resolve it — but we raise it so that it may be present in consciousness.

Conclusion of the Chapter

This chapter deserves to be present in the consciousness of everyone concerned with fatwa-issuance today. The chaos of which we speak is not a passing phenomenon that will dissolve; it is the expression of a structural transformation in the relationship between the human being and religious knowledge. If we do not address it with a fitting approach, the damages will accumulate for decades.

The five transformations we have presented (the shift to short-form video, the rise of the religious influencer, the attention economy, interactive jurisprudence, politicization) all overlap and reinforce one another. The five dimensions of digital chaos (source, formulation, context, reception, accountability) all arise from those transformations.

The next chapter — Chapter Five: Fatwa as Digital Content — will take us to the deeper layer of this reading, where we examine the fatwa from the angle of digital media ethics, and propose a Code of Conduct for fatwa-issuance on the platforms.

Then Chapter Six will take us to artificial intelligence — the most dangerous and most recent of transformations. Chapter Seven to the fiqh of minorities in the digital balance. Chapter Eight to the collective fatwa ecosystem. Then Chapter Ten will arrive — for which we laid the foundation in Chapter Nine — with a practical roadmap of ten initiatives.

We ask God to grant in this description an opening of insight for the workers, and from the heart of the description a guidance toward reform.

— *End of the First Draft of Chapter Four* —

(Chapter Five — Draft v0.1)

Chapter Five: Fatwa as Digital Content — The Ethics of Platforms

A Prelude to the Chapter: From Diagnosis to Ethical Framework

Chapter Four diagnosed digital chaos in its five transformations and five dimensions. Diagnosis is sufficient insofar as it discloses reality, but it does not suffice. The exposure of dysfunction does not produce its alternative; description does not stand in for the norm.

This chapter shifts the reader methodologically. The question is no longer "What is the chaos?" but "What ethical framework should govern fatwa-issuance on the platforms?" This is a structurally new question, for it presupposes that digital fatwa-issuance is not merely an extension of classical fatwa-issuance but a new kind of activity with its own structure and ethical demands.

To build this framework, we need to shift — in our consciousness — from viewing the mufti as "a scholar answering a question" to viewing him as "a creator of religious content in a space governed by algorithms." This shift is not surrender to reality but acknowledgment of it in order to engage it. Whoever denies reality does not reform it.

The chapter is organized into four subsections:

- First: The Mufti as Content Creator — an analysis of the new situation.
- Second: The Hegemony of Algorithms — how is the fatwa shaped under the platforms' machine-intelligence?
- Third: A Proposed Ethical Code for Digital Fatwa — six governing principles.
- Fourth: Patterns from Reality — case studies (without naming names).

Sub-section One: The Mufti as Content Creator

When the mufti enters the digital sphere — on YouTube, TikTok, Instagram, or any platform — he enters a new system with its own rules. He is no longer merely a scholar to whom seekers come; he has become a content producer competing for attention against millions of other producers. This shift imposes upon him four pressures, each warranting analysis:

(1) The Pressure of Brevity: When the Jurisprudential Question Turns into a Sixty-Second Reel

Classical fiqh is a layered architecture. A single question contains: a depiction of the act, its Sharia characterization, the determination of its proof, consideration of exceptions, balancing among contradicting evidences,

detailing by case, conclusion. This architecture takes time, and may require hours of reading and review before utterance. Short-form video platforms cannot bear this architecture. They are built on "the fast pace" that retains the viewer's attention; if a video exceeds sixty seconds, it loses most of its followers. The result: the mufti finds himself between two choices:

- He abridges the matter into sixty seconds — losing essential detail.
- He elaborates upon it as it deserves — losing the audience.

Either choice costs him something. But many who take up digital fatwa-issuance choose the first without awareness of the cost. A decade of fiqh investigation is reduced into "the ruling on such-and-such is permissible" or "the ruling on such-and-such is forbidden," and the audience moves to the next video.

This reduction is not merely a neglect of detail but a structural disfigurement of fiqh. Fiqh — at its core — revolves around distinctions, conditions, and exceptions. If these are dropped in favor of the brief answer, what is presented is no longer fiqh but a general rule mechanically applied to a reality that does not bear generalization.

(2) The Search for Spread: The Impact of View-Counts on the Choice of Topics

In the traditional institutional model, topics of fatwa-issuance flowed from the needs of questioners. People ask about what concerns them, and the mufti answers. What no one asked, no one answered.

In the digital model, a new factor enters: the metrics of spread. The mufti on the platforms sees with his own eyes which of his topics spread and which die. In the light of these

metrics, his taste in topic selection takes shape — whether he is aware of it or not.

The result: provocative topics (matters of sex, music, sectarian disputes, declarations of unbelief, politics) take the lion's share of digital jurisprudential content. As for foundational fiqh (purity, prayer, zakāt, etiquette of interaction, purification of the soul), it receives much less attention — because, simply, it does not "grab attention" to the same degree.

This bias is not necessarily intentional on the mufti's part. Some serious muftis find themselves — despite their good intentions — drawn to provocative topics because the algorithm rewards them with wider spread, the audience rewards them with greater attention, and the platform rewards them with higher advertising revenue.

(3) The Influencer Economy: The Funding of Religious Channels and Its Effect on the Fatwa's Independence

The major social-media platforms — YouTube, TikTok, Instagram, Facebook — allow content that crosses certain thresholds of followers and views to earn money through advertising. This "influencer economy" has produced a new class of "muftis operating as commercial enterprises" (Fatwa as Business).

The ethical problem here is compound:

- Conflict of interest: The mufti who makes his living from his digital channel has a financial interest in fatwas that gain followers and spread. This may influence — even without intent — his choice of topics and his formulations.
- Revenue pressure: When the mufti depends on his channel's revenue for his

livelihood, the pressure of spread increases upon him. This may lead him to avoid "unprofitable" topics (even if substantively important) in favor of "profitable" ones (even if secondary).

— A funding partner may have influence: Some channels are funded by particular entities (political, sectarian, commercial), and these entities may impose — implicitly or explicitly — limits on what may be said.

The ethical solution is not for the mufti to abstain from earning his livelihood. There is no harm in lawful earning. What is required is: complete transparency about the sources of funding, a clear separation between the fatwa and entertainment content, and the mufti's readiness to sacrifice follows if the truth so requires.

(4) The Audience That Shapes the Content: When Questioners Shape the Fatwa Before the Mufti Does

In classical fatwa-issuance, the questioner posed his question, and the mufti answered according to what he saw — even if the answer displeased the questioner. In digital fatwa-issuance, the mufti finds himself before an audience that interacts in real time with every word he utters. Comments, likes, view counts — all of them tell him immediately how what he says is received.

This "instant feedback loop" gradually influences the mufti. He learns — sometimes without awareness — that:

- "Lenient" fatwas earn more than "strict" ones.
- Fatwas agreeing with the followership's orientations are welcomed, and those disagreeing are attacked.

— The followership transforms over time into a "cohort coherent in thought," and if the mufti issues a fatwa contrary to what they expect of him, he loses them.

The result: The mufti gradually transitions — without sensing it — from being "a mufti who shapes his content" to being "a mufti who responds to his audience's expectations." This is a dangerous inversion in the mufti's relationship to the truth. Truth is not determined by the audience.

Sub-section Two: The Hegemony of Algorithms

Between the mufti and the mustaftī in the digital sphere stands a new intermediary unknown to the classical model: the algorithm. This algorithm is not neutral; it is built on a commercial logic aimed at prolonging the user's time on the platform. Everything that achieves this goal is rewarded with spread; everything that does not is marginalized.

(1) The Algorithm as a New Intermediary Between the Questioner and the Mufti

In the classical sphere, the mustaftī sought out the scholar: he came to his gathering, called him, or sent to him. There was a direct relationship. In the digital sphere, the relationship passes through an invisible layer:

The mustaftī opens YouTube → the algorithm selects videos for him → the mustaftī chooses among them → he arrives at the fatwa.

This intermediary layer decides which muftis reach, which topics are promoted, and which answers spread. The mustaftī may not realize that what he sees is not "the Islamic ruling on the matter," but "the fatwa that the algorithm chose to display to him based on its data about him."

This is a fundamental point: the algorithm does not know truth from falsehood, and it does not care. All it cares about is: What keeps the user on the platform longer? If the provocative fatwa (even if it is wrong) keeps him longer, it promotes it. If the correct fatwa (but the dull one) loses attention, it neglects it.

(2) Trend Bias: Why Do Certain Fatwas Spread While Others Die?

The algorithm does not deal with content by the logic of "quality" but by the logic of "signals." Signals such as:

- The speed of arrival of engagement in the first minutes after publishing.
- Watch-through rate (whether viewers finished the video or left it).
- Comments (and every comment — supporting or opposing — reinforces spread).
- Shares — a strong indicator for spread.

Based on these signals, the algorithm chooses to promote a particular fatwa to millions of users, or to bury it in oblivion. And the signals that activate spread are not tied to the soundness of the fatwa but to its capacity to provoke engagement. This is a structural bias

in favor of provocative content at the expense of correct content.

The practical result: aberrant fatwas may spread more than sound ones, because aberration produces engagement (admiration from some, condemnation from others, debate, comments). The sound, balanced fatwa passes unnoticed.

(3) Religious Filter Bubbles

"Filter bubble" is a known term in digital media studies. It means that the algorithm, by virtue of its learning from user data, displays to him what conforms to his orientations more than what contradicts them. This produces a closed epistemic environment in which the user sees reinforcement of what he believes rather than challenge to it.

In the religious sphere, this takes dangerous forms:

— The strict believer: the algorithm shows him strict fatwas more and more. His position hardens over time.

— The libertine: shown lenient fatwas. He grows bolder in transgression.

— The doubter: shown content that strengthens his doubt, so his doubt deepens.

— The adherent of a particular school: shown content from his school, so his isolation from other schools deepens.

The result: the "Muslim public" fragments into parallel bubbles, each consuming its own content and intersecting with the others only in media battles. When the two bubbles meet, mutual understanding appears impossible — because each side lives in a different epistemic universe.

Sub-section Three: A Proposed Ethical Code for Digital Fatwa-Issuance

Having understood the pressures and intermediaries, we propose in this sub-section six ethical principles to which every mufti on the platforms ought to commit — not as a legal regulation (no authority enforces them), but as a self-imposed code of conduct, observed by the mufti from within, in fidelity to the trust of knowledge and the sanctity of the fatwa.

(1) The Responsibility of the Published Word: There Is No Return for What Has Been Published

In the digital sphere, everything published remains. Even if the mufti deletes his video, it remains with those who downloaded it, and with those who shared it. What is published

once has entered history. This fact imposes upon the mufti a verbal responsibility deeper than that of the oral model:

- Verifying information before publication.
- Reflecting on formulation so that it admits only the intended meaning.
- Readiness to bear the consequences of the word in the long term — for it will return at every moment, and be invoked against the mufti on every occasion.
- Not publishing in moments of anger or emotional provocation, for what is published in those states remains forever.

(2) The Integrity of the Title: Against Provocative Titles (Religious Clickbait)

A prominent phenomenon in digital media is the use of "clickbait" titles: titles that arouse

curiosity to push the user to click, but do not fulfill what they promise. This style has entered Islamic content in various forms:

- "A ruling no scholar has stated until now!"
- "A senior shaykh drops a surprise no one expected."
- "You will not believe what the imam said about such-and-such."
- "A huge error 99% of Muslims fall into."

Such titles are an ethical defect. In their best case, they exploit a human weakness for provocation. In their worst, they frame the jurisprudential matter in a misleading frame, so that the audience receives the fatwa with a wrong expectation and absorbs it incorrectly. The proposed principle: The title must summarize the content with integrity. It must not deny or exaggerate. If the matter requires

"attractive" titles, let them be honest to the content.

(3) Respect for Context: Not Reducing the Major Issues into Short Titles

Some jurisprudential issues do not admit of simplification. The treatment of the non-Muslim in the West by the Muslim, marriage across religions, working in mixed-gender employment, dealing with artificial intelligence — all are composite issues warranting elaboration.

Reducing such issues to "permitted" or "forbidden" violates the logic of fiqh. Fiqh knows detailed differentiation among cases, justification by the reasons of rulings, and balancing of benefits against harms. If the issue is reduced, fiqh is lost in the reduction.

The proposed principle: The mufti has a choice: either to address the issue with the attention it deserves (in a longer video or a series of videos), or to abstain from addressing it. He should not issue fatwa on the major issues in the formulation of "a single saying," for that is contrary to the nature of fiqh.

(4) Disclosure of Funding and Interest

Transparency in funding and interests is among the most important principles of contemporary media. What is required of the journalist is more so required of the mufti. If the mufti's channel is funded by a particular entity, or if he has an interest in the matter on which he is issuing fatwa, he must disclose it.

Examples:

- If the mufti benefits from advertising on his channel, he must disclose that this is a

source of income for him (in many countries this is legally required anyway).

- If his channel is funded by a current or political body, disclosure is required.
- If he enters financial partnerships with companies (Islamic insurance, Islamic finance, etc.), he must disclose when issuing fatwa in matters touching those fields.

Disclosure does not invalidate the legitimacy of the relationship. But it reveals to the audience the position from which the mufti speaks, so that the audience may judge for itself whether that position affects the fatwa.

(5) Avoidance of Incitement and Emotional Manipulation

Digital media rewards emotional content. The mufti may fall into the trap of emotional incitement to gain spread, producing content

that ignites emotions at the expense of thought. This contradicts the spirit of fiqh, which trains in balance and deliberation.

Forms of this slide are many:

- The use of dramatic music in fatwa clips to provoke excitement.
- Titles promoting "battles" between scholars or schools.
- The language of revenge or triumph in presenting the jurisprudential matter.
- Employing emotionally impactful images or videos to bolster a particular jurisprudential position.

The proposed principle: Emotions have a place in religion — in the sermon, in the homily, in remembrance. But their place in fatwa is limited. The fatwa calls upon intellect and reflection, not emotional provocation.

(6) The Mufti's Responsibility for "Excerpted Versions" of His Fatwa

This principle deserves elaboration because it is the most neglected. We mentioned in the previous chapter that the fatwa is excerpted and repurposed. The one who repurposes bears clear sin. But the question: Is the original mufti partly responsible?

We hold that the mufti is partly responsible, on two conditions:

- If he knew his speech would be excerpted, and did not take precautions (such as: publishing the original text in full, placing clarifications, responding to excerpting).
- If he was able to correct after excerpting, and did not.

The proposed principle: The mufti has an ongoing responsibility — it does not end at the moment of issuance, but continues in following

how his fatwa is conveyed, and intervening to correct it when it is distorted. This is a commitment that requires time and effort, but it is part of the "media integrity" we proposed as one of the Five Qualifications in Chapter Two.

Sub-section Four: Patterns from Reality — Case Studies

In this sub-section we review three prominent patterns of failure in digital fatwa-issuance, without naming particular individuals (out of respect for scholarly integrity, and because the aim is to understand the pattern, not to expose individuals). Each pattern represents multiple instances that have occurred in recent years:

Pattern One: "The Viral Fatwa" — When an Aberrant Fatwa Spreads

In some year, a scholar or religious influencer issues a fatwa on the platforms that contradicts the established position of scholars on the same matter. The fatwa may be strict or lenient, but it contradicts the recognized consensus.

What happens: digital media seizes upon the aberrant fatwa quickly, because it is "new" and "provocative." It spreads through the public sphere on a wide scale. It may influence some Muslims, especially those who find in it a confirmation of their psychological or social position. Then some scholars take up rebutting it, and that increases its spread (because the debate feeds it). Its effect may continue for years.

The lesson: The aberrant fatwa in the digital sphere takes on a size multiples greater than its juridical weight. Treating it is not by direct refutation alone (which may reinforce its spread), but by enriching balanced alternative content, and by building an audience capable of distinguishing the aberrant from the considered.

Pattern Two: "The Influencer Without an Institution" — When a Religious Authority Emerges Outside the Scholarly Framework

In recent years, figures have risen in the social-media sphere who have millions of followers, presenting religious content, without having graduated from accredited scholarly institutions. Some self-taught; some received some certifications; some encountered knowledge only through YouTube as well.

What happens: The audience treats them as a full-time religious authority, consults them on fatwas, seeks their counsel in life, consumes their words as if they were the ruling of Islam. The official scholarly institutions cannot compete with them in spread, so they find themselves overtaken.

The lesson: The digital sphere allows the emergence of "religious authorities" parallel to the accredited scholarly system. This calls upon institutions to do two things: (1) Enter the digital sphere itself with strength. (2) Build mechanisms that help the audience distinguish between scholarly authority and media authority. This will be addressed in Chapter Ten.

Pattern Three: "The Withdrawn Fatwa" — When an Institution Retracts a Fatwa After a Media Uproar

A pattern worth pondering: A scholarly institution issues a fatwa it considers sound. The fatwa provokes a media uproar. The institution comes under popular or political pressure. It revises its position, or issues a "clarification" that softens its sharpness.

What happens: The audience loses trust in the institution, for it sees the institution changing its fatwas according to pressure. Both ends may be criticized: If the original fatwa was sound, the retraction is weakness. If it was an error, the original should have been sound from the beginning.

The lesson: Jurisprudential institutions need "media maturity" — to anticipate the uproar before issuing the fatwa, to prepare for it, and to be ready to defend their position if sound. Retreat under pressure — even if a politically understandable choice — costs the institution its credibility in the long term.

Conclusion of the Chapter

This chapter has presented an ethical framework for digital fatwa-issuance, founded on two understandings:

The first understanding: that the mufti on the platforms operates in an environment with its own rules — the rules of spread, of algorithms, of the attention economy. Understanding these rules does not mean surrendering to them, but engaging them consciously.

The second understanding: that digital fatwa-issuance requires new ethical principles, completing the classical conditions and preserving the trust of knowledge in a sphere governed by a different logic.

The six principles we have proposed (responsibility of the published word, integrity of the title, respect for context, disclosure, avoidance of incitement, responsibility for excerpted versions) are not a legal regulation

but a code of self-conduct, observed by the mufti from within.

In Chapter Ten (Initiative One), we will take this code further and turn it into the "Code of the Digital Mufti" — a reference document ready for institutional adoption.

The next chapter — Chapter Six — will take us to the most dangerous transformation that has struck fatwa in our age: artificial intelligence. In it, we ask seriously: Can artificial intelligence issue fatwa? What is the difference between it being an informational assistant to the mufti and a substitute for him? Questions classical fiqh did not pose, and which our reality presses upon us today.

— *End of the First Draft of Chapter Five* —

(Chapter Six — Draft v0.1)

Chapter Six: Artificial Intelligence and the Question of Fatwa — Its Limits and Controls

A Prelude to the Chapter: The Question Our Classical Jurists Did Not Ask

This chapter departs from a fundamental question our classical jurists did not pose, because their age did not call for it: Can artificial intelligence issue fatwa? And what is the difference between its being an assistive

tool for the mufti and its being a substitute for him?

This chapter does not proceed from a panic about technology nor from a rush toward it. Rather it examines technology with a calm, foundational examination — from the pillar of "eligibility" upon which we paused in Chapter Two; to "the comprehension of context" anchored by Ibn al-Qayyim; to "the higher objectives" upon which al-Shāṭibī built. We ask: Where does artificial intelligence stand vis-à-vis each of these pillars?

The aim is not to forbid the use of artificial intelligence, nor to permit it without restriction, but to clarify the locus of dispute: What in fact does artificial intelligence do? What can it legitimately do? What is forbidden to it?

The chapter is organized into five sub-sections: a simplified technical framework; a

foundational analysis of the pillars of fatwa against the language model; the distinction between assistance and fatwa; an analysis of the dangers of "the machine fatwa"; and a proposed Code of AI Usage for the Mufti.

Sub-section One: The Simplified Technical Framework

Before we speak about the Sharia ruling on "artificial intelligence," we must understand what it is. The jurist needs to depict the reality before issuing fatwa upon it — as established by al-Shāṭibī and others. This brief technical depiction provides a sound foundation for the religious ruling.

(1) What Are the Large Language Models (LLMs)?

Large language models — such as ChatGPT, Claude, and others — are software tools trained on enormous quantities of human text (estimated sometimes in the trillions of words). Through this training, they learn statistical patterns in language, so that when

a question is posed to them, they are able to "predict" the probable words in the answer.

The pivotal point: these models do not "know" information in the sense of understanding and reasoning about it. They predict statistically what comes after what was said. The prediction may correspond with reality, and it may diverge from it — both cases proceed by the same statistical mechanism.

(2) The Difference Between "Knowledge" and "Statistical Prediction"

This distinction is essential in understanding where artificial intelligence stands vis-à-vis fatwa. Knowledge, in human beings, includes:

- Comprehension: grasping meaning, not repeating phrasing.
- Verification: the capacity to distinguish what is correct from what is probable.

- Intention (niyya): a purpose in uttering the ruling.
- Accountability (taba‘a): a readiness to bear the burden of error.

The language model possesses none of these. It predicts based on patterns it has seen before. If the patterns on which it trained are sound, its answers will be sound. If they are contradictory or erroneous, it stumbles. In either case, the model answers with the same confidence — it possesses no mechanism for distinction.

(3) The Phenomenon of Hallucination

Among the most prominent properties of language models is "hallucination." The meaning is: the model produces an answer linguistically persuasive, appearing correct and confident, but fabricated — sometimes

partially, sometimes wholly. The model invents a source that does not exist, or cites a hadith that has no foundation, or attributes a saying to a scholar who never uttered it — with the same tone in which it cites real texts.

This phenomenon diminishes as models develop, but it will not vanish entirely — for it is at the very core of how statistical prediction works. The model cannot "know what it does not know." It does not stop answering if it lacks information; it continues with the best statistical guess — which may be invalid.

This phenomenon alone — were we to pause at it only — is enough to disqualify the language model from the platform of fatwa-issuance. For the fatwa cannot bear the possibility that the mufti may answer with a fabricated answer in the tone of confidence.

(4) The Models' Capacities in Religious Texts — and Their Limits

Contemporary models have made leaps in understanding the religious text and responding to it. They are able to summon Qur'anic verses, hadiths (sometimes with notes on their weakness), and quotations from scholars. But their capacity is limited in:

- Verifying the attribution of texts: they may cite a weak or fabricated hadith as if it were sound.
- Distinguishing the accredited from the aberrant in the schools: for they do not know "the scale of weighing" known to the student of knowledge.
- Comprehending the specific context of the questioner: they answer with general answers that do not adapt to the particular state of the questioner.

— Higher-objectives estimation: the balancing among benefits and harms requires comprehension the model does not possess.

Sub-section Two: The Position of Artificial Intelligence vis-à-vis the Pillars of Fatwa

In Chapter Two we presented the classical pillars of fatwa: eligibility (legal capacity + scholarly knowledge + character), ijtihād, intention, knowledge of context, and observance of the higher objectives. The decisive question concerning AI's relationship to fatwa is: Are these pillars fulfilled in the language model? We examine each pillar in turn.

(1) The Pillar of Eligibility: Legal Capacity

The conditions of legal capacity (taklīf) in the mufti are: Islam, post-pubescence, sound intellect. As for the language model:

— It is neither Muslim nor non-Muslim — it is not a person to begin with, so the rulings of religions do not apply to it.

— It is neither post-pubescent nor minor — it is not a human being.

— It is not characterized by "sound intellect" in the juridical sense — even if its work resembles the output of intellect.

The result: The language model loses all the conditions of legal capacity, for they are built on the mufti's being a legally accountable human being. The model is not legally accountable, and therefore does not enter the circle of fatwa-issuance by this measure.

(2) The Pillar of Knowledge: Is Statistically Stored Knowledge "Knowledge" in the Sharia Sense?

The language model stores enormous information — like "a massive library." But the

jurist is not a "library"; he is one who has engaged with information, understood it, weighed it, and extracted from it. Knowledge in the language model is a faculty of retrieval, not a faculty of comprehension.

Ibn al-Qayyim stated among the qualities of the mufti: "Perceptive in the proofs of rulings." Perceptiveness (baṣīra) means comprehension, not mere preservation. The language model preserves and does not comprehend. This is an essential difference.

(3) The Pillar of Intention and Piety: Can Intention Be Conceived from a Machine?

Fatwa is at its core an act of worship. The mufti aims to inform people of God's ruling and is rewarded if he is right and if he errs. Intention is a condition in the soundness of an act and in its acceptance.

The language model does not possess intention. It does not aim at being correct, does not fear error, and does not repent if it errs. It produces its answers in the same way whether the topic is religious or otherwise. This drops it from the rank of "mufti" in its core devotional dimension, even if its answers coincide with the correct ruling at times.

(4) The Pillar of Comprehending Context: The Model's Capacity to Grasp the Particularities of the Questioner

The serious mufti examines the state of the questioner before answering: his age, his social position, his country, his circumstance. He may pose clarifying questions before answering. The language model — in its current form — does not possess this capacity to full extent:

— It assumes the general context if not informed of the particular, so it answers a general answer that may not suit the questioner's situation.

— It does not inquire wisely enough: it may ask questions, but they are general questions that do not capture precise distinctions.

— It cannot verify what the questioner tells it: the questioner may lie to the model, and the model cannot tell.

— It does not possess lived experience: it has not lived, has not experienced — so it does not know how the questioner lives his circumstance.

(5) The Pillar of Higher Objectives: Can the Machine Perform Maqāṣid Balancing?

Maqāṣid balancing — as defined by al-Shāṭibī — entails: estimating benefits and harms; ordering priorities; considering consequences; examining universals and particulars together. These are composite cognitive operations that demand value judgment, not mere statistical inference.

The language model can imitate the language of maqāṣid balancing, but it cannot in fact balance. For balancing requires a sense of priorities — and this sense is natively human, acquired through legal accountability, refined by knowledge. The machine is not its possessor.

The summary after examining the five pillars: Artificial intelligence is not a mufti and will not be. It lacks all the structural pillars of fatwa.

Whoever treats it as a mufti has erred in his conception.

Sub-section Three: Distinguishing Informational Assistance from True Fatwa- Issuance

If artificial intelligence is not a mufti, what is it? We propose this equation:

*Artificial Intelligence in its relation to fiqh:
an exceedingly advanced research tool, not
a mufti. Like a library, not like a scholar.*

This simile is decisive. The library serves the scholar — it does not stand in for him. So too, artificial intelligence serves the mufti — it does not stand in for him. No one says that the library issues fatwa. And if the scholar used the library in his research, the fatwa is attributed to him, not to the library.

Legitimate Uses of Artificial Intelligence by the Mufti

These uses are unobjectionable, and may indeed be useful:

- Searching for texts: retrieving verses, hadiths, scholarly quotations rapidly.
- Comparing among views: surveying the scholars' disagreement on a matter, with verification by hand.
- Retrieving definitions: linguistic or technical definitions of jurisprudential terms.
- Preliminary translation: translating fatwas from Arabic to English and vice versa (with verification).
- Drafting initial drafts: writing a preliminary draft for the mufti to review and correct.

- Indexing information: organizing large quotations within a topic, summarizing them, analyzing them.

Forbidden Uses

These uses are forbidden absolutely:

- Issuing the fatwa directly from the model: The questioner opens ChatGPT and receives an answer, then acts upon it. This is not correct, for the model is not qualified for fatwa-issuance.
- Substituting the mufti with the model: Setting up a "bot" to issue fatwa in the human mufti's stead, and leaving it without supervision.
- Publishing the model's answers as official fatwas: they may contain hallucination or error.
- Using it in fatwas with serious consequences: blood matters, lineage,

ḥudūd, divorce, declaration of unbelief — these are not left to the machine.

The Gray Zones

Between the legitimate and the forbidden lie gray zones deserving reflection:

— Very basic and settled fatwas: "How many rak'as in zuhr?", "What is the ruling on pork?" — is the model to be consulted on these? We see permissibility with the recommendation of verifying the source.

— Jurisprudential definitions: "What is the maḥram?", "What is iḥrām?" — the model may serve here with caution.

— Surveying disagreement: What are the scholars' views on the ruling of such-and-such? The model can do this, but with the mustaftī's verification.

Sub-section Four: The Danger of "the Machine Fatwa"

Generative artificial intelligence opens a door perhaps more dangerous than classical fatwa chaos: "Mass Machine Fatwa." This warrants separate reflection:

(1) The Conversion of Fatwa from a Devotional Act into a Procedural Operation

The fatwa issued by a human mufti is a devotional act. The mufti fears God, supplicates to his Lord to keep him aright, and bears the burden of his speech. This devotional dimension is what gives the fatwa its particular spirituality.

When the fatwa issues from a language model, this dimension vanishes. It transforms into a procedure: input the question, extract the

answer — end. No fear, no reliance upon God, no repentance if it errs. Mere mechanical operation.

(2) The Loss of Accountability: Who Is Held Responsible if the Model Errs?

In classical fatwa-issuance, the mufti is held accountable. If he errs, God reckons him; one who has been harmed may seek redress. In machine fatwa, responsibility fragments:

- The model: not responsible, for it is not legally accountable.
- The producing company: disavows in terms of use ("does not substitute for specialist consultation").
- The user: did not know the answer might be wrong, so cannot bear full responsibility.

(3) Stripping the Mustaftī of the Human Relationship with the Mufti

Classical fatwa-issuance bore a human relationship: the questioner came to know the mufti, sought ease in his wisdom, benefited from his experience. This relationship was part of the "faith-formation" that fatwa produces. Machine fatwa strips this relationship, converting the experience of asking into a silent, mechanical, spiritless transaction.

(4) The Tech Companies' Monopoly on Shaping Religious Discourse

This is the far-reaching danger. Language models are produced by major technology companies. These companies — by their commercial and value-laden decisions — determine:

- Which texts the model is trained on: it may exclude some sources and inflate others.
- Which topics it answers about: it may impose a "red line" on particular topics.
- Which formulations it adopts: it may impose a particular "voice" leaning toward a value system.

The result: If artificial intelligence becomes the chief source of religious information for the general body of Muslims, then the major technology companies have come to govern — without the Ummah being aware — the shaping of its religious discourse. This is an epistemic sovereignty threat that deserves the Ummah's vigilance.

Sub-section Five: The Code of AI Usage for the Mufti — An Original Proposal

Based upon what has preceded, we propose in this sub-section a practical code to which the mufti adheres when he draws upon artificial intelligence in his work. This code is addressed to the individual mufti and to fatwa institutions, and proceeds from the understanding of capacities and limits we have presented. It is the detailed entry to "Initiative Four" in Chapter Ten.

Provisions of the Proposed Code

First Provision: Disclosure of Use of the Model

If the mufti has drawn upon a language model in the preparation of his fatwa (research, formulation, indexing), he ought to disclose

that fact in the fatwa itself or in its description. Transparency preserves the mufti's credibility and allows the reader to evaluate the work.

Second Provision: The Necessity of Full Human Review

Everything the language model produces — quotations, arguments, translations, formulations — must be reviewed by hand before adoption. It is not permissible to publish machine-generated content without review. Review includes: verifying the attribution of texts, confirming the soundness of rulings, examining the formulation.

Third Provision: Forbidden Matters for the Model

There are matters in which it is not permissible for the mufti to draw upon the model — not even for research. These include:

- Matters of blood (declarations of unbelief, killing, jihād in its combative sense).
- Matters of lineage (affirmation or denial).
- Matters of divorce and dissolution of marriage.
- Matters of the ḥudūd.
- Matters of broad political consequence.

In these matters, the burden of error is too great, and the risks of hallucination cannot be borne.

Fourth Provision: Controls for Building Specialized Religious Models

We call for the development of language models specialized in the Sharia, trained on documented texts, under the supervision of scholars. These models — if built with sound controls — may prove far more reliable assistive tools than general models. But they

remain tools, not muftis. Their details appear in "Initiative Four" of Chapter Ten.

Fifth Provision: Education and Awareness for the Public

It falls upon fatwa institutions to educate the public on how to engage with machine fatwas. To teach them:

- Artificial intelligence is not a mufti.
- It may hallucinate and fabricate.
- Treat it as an informational resource you draw upon for orientation, then verify with the human mufti.
- In matters of substance, its answer is insufficient.

Conclusion of the Chapter

This chapter has presented — for the first time in a contemporary jurisprudential book — a foundational analysis of the place of artificial intelligence in fatwa-issuance. The conclusions drawn:

First: Artificial intelligence is not a mufti and will not be. It lacks all the structural pillars of fatwa (eligibility, knowledge in the juridical sense, intention, comprehension of context, and higher-objectives weighing).

Second: Artificial intelligence is an exceedingly advanced research tool for the mufti — when employed under controls. "Like a library, not like a scholar."

Third: There are legitimate uses, forbidden uses, and gray zones — and the proposed code clarifies the boundaries of each.

Fourth: Mass AI Fatwa is a danger that warrants the Ummah's vigilance. For it converts fatwa from a devotional act into a mechanical operation, strips responsibility, and surrenders religious discourse to technology companies that do not adhere to the Ummah's value system.

Fifth: The solution is not absolute prohibition nor absolute permission, but conscious employment under controls. Fatwa institutions are called to lead this employment rather than leave it to the technology companies.

The next chapter takes us to the fiqh of minorities in the digital balance — where we examine how the Muslim in the West interacts with all these digital transformations.

— *End of the First Draft of Chapter Six* —

(Chapter Seven — Draft v0.1)

Chapter Seven: The Fiqh of Minorities in the Digital Balance — The Case of Muslims in America

A Prelude to the Chapter: Why a Dedicated Chapter on the Minorities?

This book — as we mentioned in its introduction — springs from a particular context: a paper presented to the Assembly of Muslim Jurists of America (AMJA) in Houston in 2018. The institution that hosted the original paper is concerned with the fiqh of

Muslims in North America. It was a matter of scholarly fairness not to transfer the paper into the book without dedicating a chapter to the context out of which it was born.

But dedicating a chapter to the fiqh of minorities does not mean that it is regional in its topic. On the contrary: the fiqh of minorities is a laboratory in which the Western reality has revealed many of the problems of fatwa-issuance before they reached Muslim-majority lands. The Muslim of the West was the first to face: active religious pluralism, the new gender challenges, Islamic finance in Western markets, schooling between public schools and Islamic schools. What he is addressing today will be addressed tomorrow in every Muslim land. And in the age of globalization, there are no longer essential differences between "minority" and "majority" on many

issues — because the digital sphere has leveled them all.

The chapter is organized into four subsections: the particularity of the American context; the compound challenges; the relationship of central authority to local reality; and the digital sphere and the fiqh of minorities. It is followed by Chapter Eight, which opens the matter of the collective ecosystem that the questions of the minorities deserve by priority.

Sub-section One: The Particularity of the American and Western Context

(1) Muslims in America: Composition, Challenges, and Aspirations

Muslims in the United States number about 3.5 to 4.5 million (estimates vary). They belong to varied ethnic backgrounds: immigrants from the Arab world, South Asia, and Africa, and a sizeable proportion of African American Muslims who either embraced Islam or were born into it. This ethnic plurality produces a juridical plurality: the Pakistani Muslim often follows the Ḥanafī school; the Arab Muslim follows the Mālikī or the Shāfi‘ī; the African Muslim often follows the Mālikī.

This plurality, which may represent a challenge to jurisprudential unity, also opens

an opportunity for inter-school recognition — all within the single mosque. Scholars of the communities have noted that the American Muslim becomes acquainted with the various schools more than his brother in Muslim lands, because he lives among several schools in the same mosque.

The principal challenges faced by the American Muslim differ from his counterpart in Muslim lands:

- Identitarian: How does he construct his Islamic identity in a non-Islamic society?
- Economic: How does he engage with a financial system built on interest?
- Social: How does he found a Muslim family in an environment that does not protect it?
- Educational: How does he teach his children religion and worldly knowledge together?

— Civic: How does he achieve coexistence with his non-Muslim neighbors with justice?

(2) The Juridical Differences Between the Fiqh of the Abode of Islam and the Fiqh of Minorities

In the Islamic tradition, fiqh was formulated within the context of the Abode of Islam (dār al-Islām) — where the Muslim is the majority, the laws derive from the Sharia, and the society is built on Islamic values. This context produced many jurisprudential rules that assume this framework.

But the Muslim in the West lives in a different context: he is a minority, the laws are secular, and the society is not Islamic. This does not mean that the jurisprudential rules change, but that their application warrants adaptation. This is the core of "the fiqh of minorities" as articulated by its pioneers —

such as Dr. Taha Jabir al-‘Alwānī, Dr. Yūsuf al-Qaraḍāwī, and others.

Some of the essential differences:

— In financial dealings: the Muslim in the West does not possess complete Islamic banking alternatives, calling for flexibility in fatwas concerning dealing with conventional banks.

— In marriage: the rulings of Sharia marriage intersect with the personal-status civil law.

— In food: an expansion in the concept of "the food of the People of the Book" to ease the matter on the minority.

— In social relations: flexibility in dealing with non-Muslims in neighborliness, work, and friendship.

(3) The AMJA Experience as a Model

Since its founding in 2002, the AMJA Academy has played a pivotal role in framing the fiqh of minorities within the American context. The Academy proceeds from a faith that Muslims in America deserve a juridical authority that understands their context, and that importing fatwas from Muslim lands does not suffice.

Features of the AMJA experience — as they have emerged across fifteen annual conferences:

- Centering upon contingencies: the conference topics revolve around issues the American Muslim lives.
- Inter-school plurality in its membership: the Academy does not belong to a particular school; rather, it accommodates plurality.

- **Collective work:** fatwas issue after deliberation, not by individual decision.
- **Boldness in engagement:** addressing sensitive issues such as inter-religious marriage, financial transactions, and fatwas relating to work.

This experience embodies the model of the "Collective Institutional Mujtahid" we proposed in Chapter Three. It is a practical testimony that this model is not a mere idea but a living reality that deserves expansion and generalization.

Sub-section Two: The Compound Challenges of the Minorities

We present here seven compound challenges that warrant specialized jurisprudence, drawing on the reality of the contemporary American Muslim:

(1) Issues of Identity and Integration

How does the Muslim preserve his identity in a society that invites integration? And when is "integration" required and when is "dissolution" prohibited? These questions are inseparable from fiqh, because much of the fiqh relates to regulating the Muslim's identity: in dress, in food, in relations, in marriage, in raising children. The American Muslim faces daily "softening" pressures to erase religious distinctions.

The most pressing issue: the children. The first generation of immigrants lived with a clear Islamic identity. The second generation (children born in America) faces doubled pressure — belonging to their American country by culture, yet also belonging to their religion. The placement of fiqh within this pull is a great concern.

(2) Family and Marriage Among Conditions

Marriage in Islam is a Sharia contract (nikāḥ). Marriage in America is a civil contract. They may intersect or diverge. This generates delicate issues:

- Is civil marriage without a Sharia contract sufficient?
- Is Sharia marriage without civil registration sufficient?

— Issues of divorce: the Muslim divorces by Sharia, but remains legally married until judicial separation.

— Inheritance: the Sharia divides inheritance by known proportions; American law differs.

— Inter-faith marriage with the People of the Book: an old jurisprudential issue, taking on new dimension in the American context.

These issues do not admit of simplification, and require detailed fatwas that take into account the legal and social context. Here emerges the necessity of a local authority (such as AMJA) that knows this context from within.

(3) Finance and Islamic Economy in Western Markets

Ribā is forbidden in Islam. The American economy is built on a usurious banking system. How does the Muslim engage with this contradiction?

The fatwas accredited at AMJA and others include:

- Adopting Islamic banks where they exist (few in America).
- Using conventional banks for safekeeping (current account) within controls.
- Fatwa on the housing loan: one of AMJA's most important contemporary fatwas, permitting a form of "ijāra ending in ownership" offered by certain Islamic institutions.

- Islamic insurance (takāful) where available.

(4) Schooling Between Public and Islamic Schools

Muslim children in America typically attend public schools (which may contain content conflicting with Islamic values). The alternative: private Islamic schools (which may not be available or may be costly). Parents' fatwas in this chapter are among the most awaited by the public from the authorities.

(5) Islamophobia and Discrimination

The Muslim in America is sometimes subjected to religious discrimination. How does he address this jurisprudentially? Is concealment of Muslim identity permissible in certain circumstances? Is litigation to lift injustice

permissible? Is retaliation permissible? These are matters that warrant Sharia guidance, not individual reasoning.

(6) Liberal Social Pressure on Sharia Rulings

Some Islamic rulings (in matters of sexuality, equality between the sexes in a specific sense, limits of personal liberty) conflict with the prevailing liberal current in America. The American Muslim sometimes finds himself under pressure to reinterpret his religion to align with these values. This is a fundamental test of what the Muslim chooses: Is the principle that religion adapts to reality, or that the Muslim adapts to his religion?

Sound fiqh distinguishes between the flexibility the Sharia permits (which has breadth) and the dissolution the Sharia does not permit (which has a limit). Here there is

urgent need for deep authorities that understand the difference.

(7) Mental Health and Imam Training

In American communities, the imam plays a broader role than in Muslim lands. He is mufti, pastoral counselor, and family adviser. With increasing mental-health issues in Western Muslim communities, the imam's training in psychology has become a necessity.

Sub-section Three: The Mufti Between Central Authority and Local Reality

(1) When Does the Fatwa of Muslim Lands Suffice, and When Does the Issue Call for a Local Fatwa?

This is an essential question. Not every issue deserves a local fatwa. But some issues refuse to be other than local. How do we distinguish? Issues for which the fatwa of Muslim lands suffices:

- Individual acts of worship (prayer, fasting, ritual purity) — their rulings are settled; they do not differ by context.
- The principles of creed — they do not change.
- Islamic ethics — their rules are uniform.

Issues that call for a local fatwa:

- Financial dealings tied to the American market (mortgage, insurance, taxes).
- Personal status tied to American civil law.
- Social issues tied to the civic and social context.
- Education and parenting within the American educational system.

(2) Communication Between Jurisprudential Academies in Muslim Lands and in Minorities' Lands

The imam in America may need to refer to scholars of Muslim lands on certain matters (especially those requiring deeper specialization). Scholars in Muslim lands may need the opinion of minorities' scholars in understanding context. This communication is

in a developing state, deserving methodological expansion.

(3) Building Local Juristic Competence in the Communities

Complete reliance on scholars of Muslim lands is not viable in the long term. The optimal solution: training local scholars from within the communities, who combine Sharia formation with deep understanding of the American context. This is a great challenge that requires:

- Local Sharia schools with rigorous curricula.
- Partnerships with scholarly institutions in Muslim lands.
- Independent funding to train imams.
- Long-term investment — a full generation is needed.

Sub-section Four: The Digital Sphere and the Fiqh of Minorities

(1) How Does the American Muslim Consume Digital Fatwas?

The observable reality: The American Muslim — especially the young — consumes fatwas via social media more than via the mosque. His source: accounts on Instagram, YouTube, TikTok. Whom he follows most: religious influencers from the Arab world or South Asia — not American scholars.

This generates an essential gap:

- Imported fatwas may not suit the American context.
- Local scholars may not find an audience, so their role is marginalized.

- Influencers from afar wear the cloak of authority without understanding the context.

(2) The Chaos of Importing Fatwas from Distant Contexts

We surveyed in Chapter Four "the chaos of context" as one of the dimensions of digital chaos. In the case of minorities, this chaos takes its most dangerous form. Examples:

- A young man in California asks a mufti in the Gulf about the ruling of a university loan — whose structure differs from a university loan in the Gulf.
- A mother in New York asks a shaykh in Cairo about a school for her son — who does not understand the American educational system.
- A child of immigrants asks a mufti in his ancestral homeland about his friendships

in college — who does not understand the structure of friendship in American society.

In all these cases, the issued fatwa may be jurisprudentially correct in its original context but misleading in the American context. The problem is not in the original mufti but in transferring the fatwa across contexts.

(3) The Need for Accredited Local Fatwa Platforms

The logical solution: building local fatwa platforms that publish the fatwas of American scholars with easy-access tools, competing with influencers for spread. This will be proposed in detail in Chapter Ten (Initiative Two).

Features of the local platform:

- Fatwas that understand the American context.

- Accredited scholars from recognized institutions.
- Answers to the daily issues of the communities.
- A strong presence on the platforms the public uses.

Conclusion of the Chapter

The fiqh of minorities is not merely a branch of general fiqh; it is a practical laboratory in which the problems of fatwa-issuance are revealed before they reach Muslim lands. The Western Muslim faces daily what the Muslim everywhere may face tomorrow — for the world is moving toward a similar complexity.

But the fiqh of minorities acquires a new dimension in the digital sphere: the American Muslim is not isolated from his original authorities; he is in daily contact with them through social media. This creates a tension between "the distant authority" and "the near context," warranting a practical remedy.

The desired solution: a strong local fatwa system that understands the context, employs the tools of the digital age, and cooperates with central authorities in Muslim lands. This is what will be addressed by Chapter Eight

(the Collective Fatwa Ecosystem) and Chapter Ten (the Roadmap).

AMJA represents an important model for this vision. The time has come to expand its experience and develop its tools to suit the new generation of American Muslims who consume their religion principally through their screens — not in the gatherings of scholars as their families did.

— *End of the First Draft of Chapter Seven* —

(Chapter Eight — Draft v0.1)

Chapter Eight: From the Individual Mufti to the Collective Fatwa Ecosystem

A Prelude to the Chapter: Resolving the Tension

There is an implicit tension in the original 2018 paper that must be addressed. The paper speaks of "the individual mufti" with his classical conditions, while contextually it proceeds from a collective institution (AMJA). And the institution does not operate by the logic of the individual mufti; it operates by a different logic. The time has come to address

this tension — not by canceling either side, but by articulating the relationship between them. This chapter proposes the structural shift that the Ummah needs: from the model of the individual mufti (familiar across history) to the model of the collective institutional fatwa ecosystem (which deserves to be the hallmark of the coming jurisprudential age).

The shift does not mean abolition. Personal fatwas, and the relationships between the Muslim and a particular scholar, and individual trust — all remain. But major issues, composite contingencies, and fatwas with wide social impact — these move into the collective institutional frame. The logic of this division will be detailed in the final subsection.

The chapter is organized into four subsections: why the individual mufti is no longer sufficient; models of collective fatwa-issuance;

the AMJA experience as a model; and toward a digital fatwa ecosystem.

Sub-section One: Why Is the Individual Mufti No Longer Sufficient?

We do not claim that the individual mufti has lost his value. He remains a foundation, especially in personal fatwas. But we mean: in the major issues, composite contingencies, and collective matters — he is no longer sufficient alone. Four reasons drive this claim:

(1) The Complexity of Contemporary Contingencies

In the age of the Four Imams, the contingencies were on the whole amenable to treatment by a single empowered jurist. The issue of zakāt on crops, the issue of leasing, the issue of manumission, the issues of marriage — were within the jurist's reach with his traditional tools. Today, our contingencies are different:

— Genetic engineering and embryo editing: call for knowledge of genetics, bioethics, jurisprudence of the soul, and maqāṣid. No single jurist can encompass these specializations.

— Cryptocurrencies and complex finance: call for knowledge of economics, computer science, blockchain systems, and financial fiqh.

— Artificial intelligence and fatwa: call for deep technical understanding of the language model in addition to uṣūlī fiqh.

— Gender and social transition issues: call for knowledge of psychology, sociology, biology, in addition to fiqh.

The individual jurist may learn some of these specializations superficially, but he will not be a specialist in them. Sound ijtihād requires accurate depiction of reality, and composite reality is not depicted without multiple

competences. Here emerges the need for collective fatwa-issuance.

(2) The Speed of Successive New Questions

In the twentieth century (before the Internet), contingencies arose at a speed councils of scholars could accommodate. Today, every month — indeed every week — new questions arise that were not on the table before. Generative language models (2022); advanced genetic editing; virtual reality applications; new complex sexual relationships; innovated financial systems — all follow upon one another.

The individual mufti cannot track this speed. Even were his jurisprudential capacity strong, the training required for each new contingency takes time, and time is not enough. The institutional ecosystem, by

contrast, can distribute questions among specialized teams, accelerating response.

(3) The Need for Collective Discernment Between the Aberrant and the Considered

An aberrant fatwa — issued by an individual whatever his standing — carries a different weight when faced by a collective fatwa from a reputable academy. The individual fatwa, even from a great scholar, remains a jurisprudential opinion subject to discussion. The collective institutional fatwa, by contrast, has a weight approaching local consensus.

In an age effervescing with aberrant fatwas, we need a collective mechanism to discriminate between the considered and the unconsidered — not by the voice of an individual declaring another unbeliever, but by an institutional, objective resolution.

(4) The Gap Between the Mufti and Specialists in Other Fields

The jurist may not understand the complexities of modern medicine, capitalist economics, or computer science. And the doctor who seeks a fatwa may not be able to explain a complex medical case in language the jurist understands. The gap between them strips the fatwa of its precision.

The collective ecosystem solves this gap by "introducing specialties to one another." The jurist sits with the doctor at the same table; they listen together to the case; they understand together the depiction; they emerge together with a resolution. This is more conducive to soundness in the contingency than fatwa-issuance in isolation.

Sub-section Two: Models of Collective Fatwa-Issuance

Collective fatwa-issuance is not a single idea but multiple patterns. We survey here four prominent patterns:

(1) The Major Fiqh Academies

These are the broadest and most elevated models. Examples:

- International Islamic Fiqh Academy — established 1981, affiliated with the Organization of Islamic Cooperation, headquartered in Jeddah. It gathers scholars from across the Islamic world, holds annual sessions, and issues resolutions.
- European Council for Fatwa and Research (ECFR) — established 1997, headquartered in Dublin, serving Muslims in Europe.

- Muslim World League in Mecca al-Mukarrama — with its global role.
- Islamic Research Council at al-Azhar al-Sharif — with its historical pedigree.

These academies are distinguished by breadth of membership, depth of grounding, and international reach. They suffer from slow production, difficulty in coordinating among themselves, and the non-binding nature of their resolutions.

(2) Institutional Fatwa Committees

These are more concentrated within national scope. Examples:

- Egyptian Dar al-Iftā' — venerable since 1313 AH / 1895 CE.
- The Permanent Committee for Scholarly Research and Issuing Fatwa in Saudi Arabia.
- Diwān al-Iftā' in Kuwait.

- Senior Scholars' Council at al-Azhar.
- General Iftā' Department in Jordan.

These committees operate within the frameworks of the states to which they belong. Their merit: institutional stability, methodological rootedness. Their flaw: occasional political influence, focus on the country rather than the whole Ummah.

(3) Multidisciplinary Fatwa Teams

This is an emerging model that combines the mufti with specialists in other disciplines.

Example:

- In a complex medical issue (such as: genetic editing, organ transplantation, abortion in particular cases): the mufti sits with a specialist physician; the physician presents the technical reality; they agree on the legal characterization; then the resolution is issued.

- In a complex financial matter (such as: a new cryptocurrency, an innovative insurance instrument): the mufti sits with a specialist economist.
- In a technical matter (such as: the use of artificial intelligence): the mufti sits with a technical specialist.

This model brings together depth of specializations. It is the most effective in composite contingencies. Its defect: it may not be available for the many issues, so it remains restricted to the major issues.

(4) Inter-Academy Participatory Fatwa

This is an aspirational model not yet fully realized. The idea: the various academies (the International Fiqh Academy + ECFR + AMJA + others) consult before issuing a resolution on a major Ummah-wide issue. The result: a

resolution enjoying broader legitimacy than the resolution of a single academy, and reducing the disagreement that arises from contradictory resolutions among academies.

Sub-section Three: The AMJA Experience as a Model

The Assembly of Muslim Jurists of America (AMJA) hosted the original 2018 paper, and from it springs this book. In fairness it deserves a sub-section in which we survey its experience as an advanced model of the Collective Institutional Mujtahid.

(1) The Academy's Structure and Composition

AMJA was founded in 2002 in Houston, Texas, on the initiative of a group of scholars and imams working in North America. Its aims: providing a juridical authority to imams of Muslims in America; framing fatwa-issuance in the American context; training imams; researching minority fiqh.

The Academy's composition includes:

- A scholarly body: from varied school and ethnic backgrounds.
- A specialized fatwa committee: charged with answering jurisprudential questions.
- A research body: preparing scholarly papers for the annual conferences.
- Training programs: for the formation of imams and preachers.
- An electronic fatwa bank: publishing accredited fatwas.

(2) The Mechanism of Collective Fatwa-Issuance

The fatwa at AMJA does not issue by individual decision of a single shaykh. It passes through an established procedure:

- Receiving the question: through the official website or the official channels.

- Characterizing the matter: identifying the nature of the question (personal or general, simple or composite).
- Distribution to a competent committee: according to the nature of the question.
- Deliberation and research: the committee meets, studies the matter, summons the evidence.
- Drafting the fatwa: after arriving at a collective view.
- Publication with the evidences: for scholarly transparency.

(3) Lessons Learned from Fifteen Conferences

Since its founding, the Academy has held fifteen annual conferences (up to the time of writing this book). Each conference addressed a contemporary issue. These conferences produced a set of lessons:

- Inter-school plurality enriches: school plurality did not lead to division but to integration.
- Continuity with renewal: the annual conference has been preserved while topics have been renewed and speakers expanded.
- Linkage to reality: topics emerge from the needs of the communities, not from abstract theories.
- Scholarly publication: the papers of the conferences are published, benefiting students of knowledge.

(4) Challenges and Gaps

But the AMJA experience — like any human experience — is not without challenges worth noting, in optimism that they may be developed:

- Reach to the public: the Academy's resolutions reach students of knowledge and specialists but do not reach to the same degree the general public who consume fatwa via social media.
- Funding and resources: the work depends greatly on volunteering, which constrains its possibilities.
- Digital presence: needs substantial expansion to compete with influencers on the platforms.
- Coordination with other academies: still nascent, in need of development.

Sub-section Four: Toward a Digital Fatwa Ecosystem

After what we have presented of models, we turn to the larger aspiration: developing collective fatwa-issuance to become an integrated ecosystem benefiting from the tools of the digital age. Five elements compose this ecosystem:

(1) Common Technical Infrastructure Shared Among the Academies

We envision a shared technical platform serving all the academies (International Fiqh Academy, ECFR, AMJA, and others). This platform offers:

- A database of fatwas issued by each academy.
- Advanced search tools using artificial intelligence in indexing the fatwas.

- A coordination system that surfaces contradictory resolutions between academies and enables dialogue around them.
- A unified interface for the public to access the academies' resolutions.

(2) A Unified Database of Accredited Fatwas

In the age of "the fluid fatwa" (that flows without regulation), we need a reference database distinguished by:

- Documented source: every fatwa traces to an accredited academy and known issuing members.
- Published evidences: not merely the saying, but its derivation and proofs.
- Date and update: dates of issuance, accumulating amendments and commentaries.

- Ease of access: available in Arabic, English (and others), with a user-friendly interface.

(3) A System for Verifying Attribution and Preventing Forgery

The phenomenon of "fatwas falsely attributed" is widespread. A saying is ascribed to a scholar he did not utter; a fatwa is conveyed in a distorted formulation; forged signatures are placed on the scholar. This is a serious phenomenon.

The solution: a technical system using digital signatures for fatwas issuing from the academies. Every fatwa issuing from the academy carries the "academy's digital signature," which anyone can verify. What does not bear the signature is treated as unaccredited.

(4) A Common Protocol for Major Contingencies

When a major contingency concerning the Ummah arises (such as the emergence of a pandemic disease, a new technology such as artificial intelligence, an extended economic crisis), the academies should have a common protocol:

- **Speed of movement:** the academy does not wait months to address an urgent matter.
- **Immediate coordination:** among the academies, to avoid issuing contradictory resolutions.
- **Organized media presence:** to deliver the resolution to the public at the highest speed.

(5) Partnership with Technology Companies to Build Responsible Religious Tools

The academies cannot build the necessary technology alone. Cooperation with technology companies is necessary — but under controls that safeguard jurisprudential independence. The cooperation may include:

- Building a Sharia language model under the supervision of the academies, used as an assistive tool (not as a mufti).
- Developing applications for imams and questioners that facilitate access to documented fatwas.
- Partnership with major social platforms to enhance the visibility of trusted sources.

Conclusion of the Chapter

The shift from "the individual mufti" to "the collective fatwa ecosystem" is not a substitution but an expansion. The individual mufti remains in his place, especially in personal fatwas. As for the major issues — and how many there are in our age — the institutional ecosystem is the most effective.

The proposed ecosystem is distinguished by being: collective (not individual), multidisciplinary (not purely jurisprudential), published (not concealed), digital (not traditional), trans-border (not local).

The AMJA experience — with the challenges it faces — represents an advanced model that deserves expansion and generalization. The aspired integrated ecosystem gathers a number of academies upon a shared technical infrastructure, producing reliable fatwas the public can easily recognize.

This chapter has completed what we founded in Chapter Three (the Contemporary Seventh Rank — the Collective Institutional Mujtahid). And Chapter Ten will translate all of this into practical, implementable initiatives.

— *End of the First Draft of Chapter Eight* —

(Chapter Nine — Draft v0.1)

Chapter Nine: Evaluating the Six 2018 Proposals and What Has Been Achieved

A Prelude to the Chapter: A Self-Critical Audit

In the conclusion of the original paper presented to AMJA in 2018, I proposed six practical recommendations to address the chaos of fatwa-issuance. Eight years have now passed since that talk. The fundamental question opening this chapter is:

What of those proposals has been achieved? What has not? And why?

This self-critical audit is not easy for its author. A researcher returning to his old proposals finds himself before one of two outcomes: either he discovers that reality has surpassed what he aspired to, and so rejoices and writes of the fruit of what he planted; or he discovers that what he proposed faltered in implementation, and so asks: Was the proposal wrong in itself? Was reality not prepared for it? Or were there factors he did not take into account?

The practical answer — as we shall see — is closer to the second and third than to the first. Reality has not moved much toward those proposals. In some of them, reality regressed from where it was in 2018. The reason is not necessarily that the proposals are wrong; it is

that eight years produced three major transformations that overturned the data:

- The explosion of the influencer economy and short-form video platforms (TikTok, Shorts, Reels).
- The rise of generative artificial intelligence that allowed the production of a "machine Sharia answer" in seconds.
- The COVID-19 pandemic that normalized digital fatwa-issuance and virtual religious lectures.

These transformations were not foreseen in 2018. Some of them — such as generative AI — did not exist at all. They have changed the equation entirely. Therefore, our evaluation of the proposals does not stop at judging success or failure; it considers each proposal: Is it still viable today in light of these transformations? Or does it need updated formulation?

The chapter is organized into three subsections: a detailed evaluation of the six proposals; a structural analysis of the reasons for faltering implementation; then a reading of the new reality after 2018 — before opening the following part with a chapter that presents an updated roadmap (Chapter Ten).

Sub-section One: The Six Proposals Between Dream and Realization

Proposal One: Unity of Islamic Institutions Around a Unified Fatwa Channel

Original 2018 Formulation

"Unity of Islamic institutions around establishing a channel dedicated to fatwa, and prohibiting what might be from any other sources." At the time, I noted that this might not exceed being a proposal, given its great challenges — among them: that the gathering of the Ummah is itself a matter that requires reshaping the minds that claim to lead it; that satellite channels are not subject to a unified framework; and that independent funding is a condition difficult to achieve.

What Was Achieved

Very limited. There are some regional partnerships between the Dār al-Iftā' institutions of Arab states, and some joint statements on major issues, but no unified channel has been established. The people of knowledge in the Islamic world have not gathered upon a single broadcast project.

What Was Not Achieved

The proposal has not been achieved in its essence. There is no unified channel, no ban on non-specialized channels, no actual coordination among authorities.

Obstacles That Prevented Its Achievement

— Independent funding: remained the greatest challenge. Specialized jurisprudential channels cannot compete

with entertainment channels for advertising revenue.

— Competition between authorities: each national Dār al-Iftā' does not see itself as inferior to another, so no one accepted subordination to a unified platform.

— The rise of social media as an alternative to satellite channels: what was on offer in 2018 was about "satellite channels." Today, the satellite channels themselves have lost their impact in favor of the platforms. The equation has changed.

— The absence of an executive authority: no one can "ban" channels in the open Islamic sphere, even if the institutions agreed.

Final Evaluation

The proposal needs radical reformulation. A "unified channel" is no longer the right

concept. The contemporary formulation might be: "A unified fatwa platform capable of integrating with existing platforms" — not aiming to monopolize broadcasting, but to be a trusted reference for verification. This is what Chapter Ten (Initiative Two) will address.

Proposal Two: Da‘wa Workers Rallying Around Religious and Jurisprudential References

Original 2018 Formulation

"Da‘wa workers rallying around the symbols of da‘wa and fiqh, and supporting unity of source for fatwa." I noted then that this requires the full release of our scholars and their maintenance, and the identification of the accredited jurisprudential references.

What Was Achieved

Limited. Some major figures attracted da‘wa workers around them during their lives (Shaykh Yūsuf al-Qaraḍāwī before his death in 2022, Shaykh ‘Alī Jum‘a, Shaykh Ibn Bayyah, and before them the late Shaykh al-Qaraḍāwī who had international authority in minorities fiqh). Likewise, some official Dār al-Iftā’s were able to draw a generation of scholars around them.

What Was Not Achieved

The rallying at the level of the entire Ummah was not achieved. On the contrary, the opposite happened: the fragmentation of authorities, and the rise of "personal" authorities springing from social media — not from institutions.

Obstacles

- Political divisions: each political camp made its own symbols, reinforcing its position with those who support it.
- The passing of major figures: Shaykh al-Qaraḍāwī (2022), and several elder scholars. This left a vacuum not filled by figures of their stature.
- The rise of the influencer economy: the audience abandoned traditional symbols in favor of "the influencer" who presents more exciting and faster content.
- The absence of full release: senior scholars remain tied to multiple commitments (teaching, official positions, administration), unable to fully dedicate themselves to fatwa-issuance as a complete mission.

Final Evaluation

The proposal at its core is sound, but its activation requires renewal. Rallying today will not be around a "person" so much as around an "ecosystem" — that is, institutions that carry weight, produce knowledge, and attend to the formation of their successors. This is what will be proposed in Chapter Ten (Initiative Three: A School for Graduating the Digital Mufti).

Proposal Three: Channels of Communication Between Official Muftis of the Islamic World

Original 2018 Formulation

"Opening channels of communication among the official muftis of the Islamic world on critical issues, surveying opinions according to the schools and viewpoints, and recording these issues in collective

journals." That these journals should be regarded as a stable reference and an opinion representing global consensus.

What Was Achieved

Comparatively good. The major fiqh academies meet periodically: the International Islamic Fiqh Academy (under the Organization of Islamic Cooperation) holds annual sessions. The ECFR holds regular meetings. AMJA holds an annual conference. These are real channels of communication among scholars.

What Was Not Achieved

Global consensus on critical issues has not been achieved. Each academy issues its resolutions in isolation, and the resolutions may contradict among the academies. There is no mechanism to unify or coordinate these outputs at the international level.

Obstacles

- Diversity of political systems: each academy proceeds from a different national context, which affects its resolutions.
- Regional disagreements: some academies do not recognize others, or do not find themselves able to cooperate.
- Non-bindingness of resolutions: even when an academy issues a resolution, no one in the Islamic world is bound by it, because political systems do not enforce it.
- Procedural slowness: the annual conferences are not enough to keep pace with the accelerated pace of contemporary contingencies.

Final Evaluation

The proposal in its endeavor is good, but it lacks a permanent coordination mechanism.

Chapter Ten will propose the Multidisciplinary Fatwa Network and the Digital Fatwa Observatory as tools that complete this path.

Proposal Four: Developing the National Fiqh Academies

Original 2018 Formulation

"Further enrichment of the idea of fiqh academies at the country level, and increased activities for the issuance of fatwas compiled by their members, and increase in the number of times of their convening to follow up on new developments in various fields." I described AMJA as one of the most important of these academies' undertakings, as a jurisprudential authority for the imams of Muslims in America, though this role still needs further activation.

What Was Achieved

Much good. This is the most achieved proposal: AMJA has continued its annual conferences (15+ conferences through 2026), and its topics have developed from traditional matters to contemporary contingencies (artificial intelligence, digital finance, digital marriage, etc.). Likewise the European Council for Fatwa, the Egyptian Dār al-Iftā', and others have developed.

What Was Not Achieved

"The substantial increase in the academies' capacities" has not been achieved: they remain confined within limited resources, members volunteering alongside their occupations, and limited reach to the popular base. Complete activation requires resources that have not yet arrived.

Obstacles

- Funding: the academies operate with limited resources, affecting the number of conferences and published research.
- Coordination with other academies: each academy still operates within its own frame, without a permanent mechanism for integration.
- Reach to the public: the academies' resolutions reach students of knowledge but do not reach the public who consume fatwa via social media.

Final Evaluation

The proposal achieved clear success but was not completed. Chapter Ten will propose A Unified Fatwa Platform for America (Initiative Two) and A School for Graduating the Digital Mufti (Initiative Three) to activate this path.

Proposal Five: Teaching People Not to Take Fatwas Except from the Scholars of Their Lands

Original 2018 Formulation

"Teaching people not to take fatwas except from the scholars of the lands in which they live." Perhaps this role belongs to the da'wa workers and the imams of mosques. I cited the example of doctors and engineers who refer matters outside their specialty — so it is more fitting for the imam to refer to others what is outside the instrument of his fiqh.

What Was Achieved

Limited and contradictory. In some communities, awareness has improved, and mosque imams remind people of the necessity to return to local scholars. But social media has radically overturned the equation.

What Was Not Achieved (and Reality Has Regressed)

The audience — by force of the platforms — consumes fatwas from distant lands, from influencers who may not live in his context at all. This is not the failure of the proposal alone but a structural transformation not in the calculation. The proposal supposed "a local audience asking the scholars of his country"; reality became "a global audience asking the algorithm."

Obstacles

- Openness of the digital sphere: there are no geographic barriers to fatwa in the age of the Internet.
- Difficulty of imposing a local authority: one cannot persuade a young man to leave an influencer he follows on TikTok to consult a local imam he sees as "traditional."

— Algorithms promote content from outside the local context: the young man in America may see fatwas from Morocco, Egypt, the Gulf, or elsewhere — not fatwas of American scholars.

Final Evaluation

The proposal needs radical reformulation. It is no longer possible to "prevent" the audience from consuming fatwas via the Internet. The contemporary formulation is: "Educating the questioner" — building a critical awareness in the audience so that he himself chooses sound authorities. This is what Chapter Ten offers (Initiative Seven).

Proposal Six: Issuing Statements of Objection to Non-Specialized Channels

Original 2018 Formulation

"Issuing statements directly objecting to channels that host non-specialists for fatwa, or discuss complex jurisprudential issues with those who are not qualified for the discussion." I noted that more of them would have a positive effect, God willing.

What Was Achieved

Scattered attempts without methodical impact. Some institutions (such as the Egyptian Dār al-Iftā') issued statements of objection on aberrant fatwas from time to time. Likewise some official bodies. But the actual effect on the channels and platforms was limited.

What Was Not Achieved

Effective impact has not been achieved. Channels and platforms are not subject to Sharia institutions; they respond to the metrics of the market and follower counts. Influencers on whom statements respond do not respond to them; rather, they may use the statements themselves to gain more spread.

Obstacles

- Weakness of executive force: no one can compel a channel to stop a guest or delete a fatwa.
- Non-recognition of religious authorities by social platforms: TikTok, YouTube, Instagram — none of them recognize the Islamic institutions as authority; they recognize their own policies.
- Rise of "religious influencers" by market logic: the one the audience hosts is the one

who excels in spread, not the most qualified.

Final Evaluation

The proposal needs essential substitution. Objection is not an effective strategy. The more effective alternative is: Investing in alternative content rather than objecting to existing content. This is what Chapter Ten will propose (Initiative Six: Partnership with Major Platforms, and Initiative Nine: A Digital Archive of the Fatwa Heritage).

Sub-section Two: Why Did Implementation Falter? A Structural Analysis

After examining the six proposals, we observe three repeated patterns in the factors of faltering. These patterns are not a defect of the proposals alone; they are a structural defect in the framework within which they were formulated:

Pattern One: The Absence of an Executive Mechanism

Most of the proposals assumed the existence of an authority capable of execution — a union of institutions, a ban on channels, the unification of authorities. But the contemporary Islamic reality lacks such an authority. There is no body with the prerogative to impose its resolutions on the Dār al-Iftā's, the channels, or the platforms.

The lesson learned: The effective proposals are those that operate by the mechanisms of influence, not by the mechanisms of imposition. Influence occurs through building the stronger alternatives and winning the audience by quality, not by trying to close other channels.

Pattern Two: Fatwa Centralization in an Age of Cognitive Decentralization

The original proposals assumed the possibility of building "unified authority" — a unified channel, a unified figure, a unified fatwa. But the Internet revolution overturned this assumption. The digital world has been built from its founding upon decentralization. There is no concept of unified authority in the space which the technologists fundamentally designed to be open to all.

The lesson learned: Unified authority cannot be built in a space designed for decentralization. But integrated trusted ecosystems can be built — having a shared compass, not a unified authority. This is what will be proposed in Chapter Ten.

Pattern Three: Not Accounting for Technical Transformations

The proposals in 2018 did not anticipate: the short-form video (TikTok exploded after 2019–2020), generative artificial intelligence (ChatGPT released in 2022), the surge of digital fatwa-issuance (by force of the 2020 pandemic), the influencer economy (developed sharply after 2020). All these transformations overturned the equation.

The lesson learned: Any proposal for fatwa reform must account for technical transformation as a dynamic factor — not a

fixed circumstance. The new proposals in Chapter Ten proceed from this understanding.

Sub-section Three: The Changed Reality of Fatwa After 2018

It is not just to evaluate the proposals in isolation from the reality upon which they descend. And reality after 2018 has changed in five major axes worth pondering before formulating new proposals:

(1) The Revolution of Short-Form Video

Between 2019 and 2022, short-form video platforms exploded (TikTok, YouTube Shorts, Instagram Reels). Religious content came to be consumed in clips ranging from 15 to 60 seconds. The fatwa reduced into this time cannot bear elaboration, exceptions, or context. And the viewer does not have the patience to listen to anything exceeding a minute.

This shift surpassed what was on offer in 2018. The discourse then was about "satellite channels" hosting non-specialists. Today, the issue is deeper: the audience no longer watches satellite channels at all.

(2) The Rise of Generative Artificial Intelligence

In November 2022, ChatGPT appeared. Within a single month, its users exceeded one hundred million. It opened an entirely new door: "Machine Fatwa." Now the questioner can open the ChatGPT site and write: "What is the ruling on such-and-such?" — and receive a detailed answer in seconds.

That answer may be sound, hallucinated, or mixed. The questioner does not know the difference. This is a structural shift demanding a complete treatment — and it is the subject of Chapter Six of the book.

(3) The COVID-19 Pandemic and the Normalization of Digital Fatwa-Issuance

The pandemic (2020–2022) forced the Islamic world to move much of its religious activity into the electronic sphere: sermons, lessons, fatwas, conferences. When the world returned after the pandemic, things were not as before. The audience became accustomed to the "electronic mosque" and the "electronic imam" — and social media became the original space of fatwa-issuance, not the exceptional one.

(4) Increasing Political and Sectarian Polarization

Since 2011 and after, the Islamic world has witnessed political and intellectual polarizations it had not known before. These polarizations have reflected on fatwa: each current produces its references, and declares

the references of the other unbelieving. The audience — within each current — consumes fatwas that agree with his political and sectarian inclination. The unification proposed by the 2018 paper presupposed the possibility of gathering — and gathering today is harder than it was.

(5) Fragmentation of the Authority of Traditional References

Perhaps the greatest transformation is what may be called "the democratization of fatwa." The audience no longer waits for jurisprudential institutions to recognize this or that scholar. Rather, he himself chooses whom he engages as a reference — based on charisma, followers, or intellectual alignment. This has overturned the audience's relationship with knowledge.

The result: references without official recognition, enjoying enormous influence; and

recognized official references without influence on the audience.

Conclusion of the Chapter

Chapter Nine has shown us that the six proposals we set forth in 2018 were sound at their core, but their implementation faltered for structural reasons — not because of an error in the proposals, but because reality was greater and faster than them. The technical transformations after 2018 have made some proposals require radical reformulation.

But this examination is not a surrender to despair. It is an entry-point for formulating new proposals proceeding from an understanding of the new reality, benefiting from the lessons learned from the faltering. This is the task of the chapter that follows — a practical roadmap with ten implementable initiatives, with the relevant parties identified, the required resources noted, and success indicators specified.

In fairness, here, we should indicate that what was achieved from Proposal Four (the development of the national academies, foremost AMJA) was among the most that reality has accomplished. Without the continuity of this institution and its activities, we would not be presenting this book today. The institution upon whose vision we draw — in the 2018 paper and in this book — has shown that the Collective Institutional Mujtahid (whom we proposed in Chapter Three) is not merely an idea but a living reality. This is a testimony worth recording.

— *End of the First Draft of Chapter Nine* —

(Chapter Ten — Draft v0.1)

Chapter Ten: A Practical Roadmap for Reforming Fatwa in the Open Sphere

A Prelude to the Chapter: From Diagnosis to Initiative

The preceding chapters have placed before us a detailed diagnosis of digital chaos, a foundational and ethical framework for engaging with it, and a critical examination of the 2018 proposals and the reasons for their faltering implementation. All of that was preparation for what arrives in this chapter: ten practical, implementable initiatives that

may translate theoretical analysis into actions on the ground.

We do not claim that these initiatives are alone sufficient, nor that they admit no modification. We present them as an entry-point for practical discussion that researchers and institutions may engage, from which they may choose, modify, and supplement. The aim is to move from the space of theoretical discussion to the space of action.

Each initiative will be presented in the following form:

- General Idea: What does the initiative do?
- Concerned Parties: Who implements it?
- Required Resources: What is needed to accomplish it?
- Success Indicator: How will we know it succeeded?

This chapter is the heart of the book in terms of implementability. We invite the reader to ponder it with the eye of the worker, not the eye of the mere reader.

An Overview of the Ten Initiatives

We survey here the ten initiatives in a brief table, then detail each in the section that follows:

#	Initiative	Essence
1	Code of the Digital Mufti	A reference document with e-scholarly standards for whoe fatwa via the platforms
2	Unified Fatwa Platform for America	Aggregating accredited fatwa search system, direct contact mufti
3	School for Graduating the Digital Mufti	A training program combinin knowledge with media and technological skills
4	Open-Source Religious Language Model	Building an LLM specialized under scholarly supervision, informational inquiries
5	Digital Fatwa Observatory	A research unit that monitors fatwas and analyzes patterns
6	Partnership with Major Platforms	Promoting visibility of trusted curbing the spread of non-co

#	Initiative	Essence
		fatwas
7	Educating the Questioner	Awareness campaigns on "the sound questioning"
8	Multidisciplinary Fatwa Network	Permanent teams of scholars + physicians + economists + technologists
9	Digital Archive of the Fatwa Heritage	Digitizing the fatwas of major scholars, indexing them, and easing access
10	Annual State-of-Fatwa Report	An annual document monitoring trends, transformations, achievements, and recommendations

Initiative One: The Code of the Digital Mufti

The Idea

A reference document that sets ethical and scholarly standards to which every mufti committed to issuing fatwas via the digital platforms binds himself. It builds upon the Five Compound Qualifications we presented in Chapter Two, the Six Ethical Principles in Chapter Five, and the AI Code in Chapter Six. It issues in the form of "voluntary accreditation" — not a binding law — which the jurisprudential institutions invite their scholars to subscribe to.

Concerned Parties

An alliance of fiqh academies (AMJA, ECFR, the International Fiqh Academy, and others) cooperating in drafting the Code. The

individual jurisprudential institutions (Dar al-Iftā', Muslim World League) adopt it and invite their scholars to sign on.

Required Resources

A small committee (5-7 members) to draft the Code over six months. Limited funding for meeting and publication costs. Most important: political consensus among the academies.

Success Indicator

(1) Issuance of the Code in its final form. (2) The signing of 50 accredited scholars upon it within the first year. (3) The adoption of two principal institutions. (4) The appearance of its effect in the discourse of fatwa-issuance on the platforms.

Initiative Two: A Unified Fatwa Platform for America

The Idea

Led by AMJA in partnership with other academies — a digital platform is established that gathers the accredited fatwas of scholars of America (and North America generally), with a smart search system and direct contact with the mufti. It will be a unified reference for:

- The Muslim who wants a fatwa suited to his American context.
- The imam in a local mosque who needs to refer to an accredited academy.
- The academic researcher who studies the fiqh of minorities.

Concerned Parties

AMJA leads the initiative, with participation from: ISNA Fiqh Council, FCNA, Muslim American Society (MAS), and other academies serving the region.

Required Resources

Substantial technical development (website, application, data backend, AI for search) — estimated between \$500,000 and \$1.5 million. Funding from charitable entities, with partnership with technology companies. A maintenance team for the platform: 3-5 full-time employees + a scholarly committee part-time.

Success Indicator

(1) Launch of the platform within 18 months. (2) Exceeding 5,000 fatwas published on the platform. (3) Exceeding 100,000 monthly visits

after the first year. (4) Broad acceptance from local imams as a trusted reference.

Initiative Three: A School for Graduating the Digital Mufti

The Idea

An intensive training program (12–18 months) qualifying muftis for work in the digital sphere. The program combines:

- Sharia sciences at the level of fatwa-issuance (for those who do not already have them).
- Media skills: content creation, editing, presentation.
- Technological knowledge: understanding platforms, algorithms, and artificial intelligence.
- Psychosocial skills: understanding the audience, handling crises.

Concerned Parties

A partnership between a fiqh academy (academic grant) and a university faculty (academic framework) and a media institution (professional training). For example: AMJA + an Islamic university + an Islamic media company.

Required Resources

A teaching body of 8–12 people (scholars + media experts + technologists). Scholarships for students (because each student leaves a job). Initial funding ~\$1.5 million for the first year.

Success Indicator

(1) Graduation of 15–20 graduates in the first cohort. (2) The first-five-years graduates reaching more than 100 digital muftis. (3) That they have a tangible impact on the platforms.

Initiative Four: An Open-Source Religious Language Model

The Idea

Building an LLM specialized in Islamic jurisprudence, trained on reliable and licensed texts, under scholarly supervision. The aim: that it be a trusted source for informational inquiries (not for issuing fatwas), able to answer with higher precision than general models in religious matters, and able to verify the attribution of texts (to avoid hallucination).

Concerned Parties

An alliance of fiqh academies (to provide sources and supervision) + a technology company (to provide infrastructure) + a research institution (for academic

supervision). Possible examples: AMJA + a technology institution + a research university.

Required Resources

A substantial investment (the cost of building a specialized LLM is estimated at \$3-10 million). Partnership with major tech companies to grant infrastructure access. A standing Sharia committee to determine the sources on which the model is trained.

Success Indicator

(1) Launching the model (Beta) within 24-36 months. (2) Accuracy higher than general models on specific Sharia matters. (3) The adoption of the model by fiqh institutions as a research assistant.

Initiative Five: A Digital Fatwa Observatory

The Idea

A research unit that monitors fatwas trending on social media platforms (TikTok, YouTube, Twitter/X), analyzes patterns of chaos, publishes periodic reports, and raises alerts to the academies when an aberrant fatwa spreads dangerously.

Concerned Parties

Hosted by a research center affiliated with a fiqh academy, or established as an independent center with charitable funding, or hosted by one of the Islamic research centers (such as Yaqeen Institute or another).

Required Resources

A research team (5–7 researchers) multidisciplinary. Technical tools for tracking

the platforms. Annual funding ~\$300,000–\$500,000. Partnerships with universities and research centers.

Success Indicator

(1) An annual published report monitoring the state of digital fatwa-issuance. (2) Periodic alerts picked up by the jurisprudential institutions. (3) That the observatory becomes a trusted source for students of knowledge and researchers.

Initiative Six: Partnership with Major Platforms

The Idea

Opening dialogue channels with YouTube, TikTok, Meta, and others, to:

- Promote visibility of trusted sources in religious search results.
- Curb the spread of fatwas violating fundamental controls.
- Provide a "verified badge" for fatwa accounts accredited by the academies.
- Open reporting channels for content offensive to religion or inciting.

Concerned Parties

An alliance of major fiqh academies representing the global Muslim majority, negotiating with the platforms. Possibly with

the participation of governments (Egypt, Turkey, Saudi Arabia) to ensure seriousness.

Required Resources

A specialized negotiating team.
Representative offices in the main cities of the platforms' headquarters (San Francisco, LA).
Annual funding ~\$1 million.

Success Indicator

(1) Signing of an agreement with one of the major platforms within 24 months. (2) Appearance of a "verified badge" on accredited accounts. (3) Removal of fatwas to which the platform's rules apply, based on academy reports.

Initiative Seven: Educating the Questioner

The Idea

Awareness campaigns for the public in "the culture of sound questioning": How does he choose his mufti? How does he pose his question? When does he need a multiplicity of opinions? How does he engage with a fatwa that does not please him? How does he verify the attribution of a fatwa? How does he use artificial intelligence in Sharia inquiries (and within its limits)?

Concerned Parties

The fiqh academies produce the primary content. Mosque imams disseminate the campaign locally. Trusted content creators help to convey it. Islamic schools incorporate it in their curricula.

Required Resources

A content production team (video clips, posts, booklets). Funding ~\$200,000-\$400,000 annually. Partnerships with grassroots Islamic organizations (Council of Communities, Islamic Centers).

Success Indicator

(1) Production of 50+ awareness content pieces in the first year. (2) The campaign reaching 5 million beneficiaries. (3) A measurable change in the audience's awareness (via before/after surveys).

Initiative Eight: A Multidisciplinary Fatwa Network

The Idea

Establishing permanent teams gathering scholars + physicians + economists + technologists + jurists, to engage composite contingencies. Each team specializes in a field (medicine, finance, technology, personal status, etc.).

Concerned Parties

A fiqh academy undertakes the establishment (such as AMJA or ECFR). It forms an alliance with Islamic professional associations (such as: Islamic Medical Association of North America, Muslim Bar Association, Islamic Finance Council). The team meets periodically (monthly or quarterly).

Required Resources

Administrative coordination. Funding for meeting costs (travel, accommodation, technology). Symbolic compensation for members (since each member contributes his time outside his original specialty).

Success Indicator

(1) Establishment of 3-4 specialized teams in 18 months. (2) Issuance of 10-15 collective resolutions on composite issues in the first year. (3) Acceptance of these resolutions by the specialized public as a reference.

Initiative Nine: A Digital Archive of the Fatwa Heritage

The Idea

Digitizing the fatwas of major scholars — classical and contemporary — indexing them and easing access to them. This archive serves students of knowledge and muftis who need to review the fatwas of a particular scholar or on a particular topic. The fatwas are dated, precisely attributed, and capable of intelligent search.

Concerned Parties

Major Islamic libraries (al-Azhar Library, the Library of the Prophet's Mosque, Imam University Library). In partnership with digitization institutions (such as Internet

Archive, Hathi Trust). And scholars charged with verifying attribution.

Required Resources

Substantial investment in digitization (imaging, Arabic OCR — a technical challenge in itself). Funding ~\$5 million for the first phase.

Success Indicator

(1) Digitization of 10,000 fatwas of major scholars in 36 months. (2) Launch of the platform with intelligent search capacity. (3) Broad acceptance from students of knowledge as a primary research tool.

Initiative Ten: An Annual State-of-Fatwa Report

The Idea

An annual document issued by the fatwa academies (by a shared methodology) monitoring:

- Transformations in the fatwa space during the year.
- Prominent new challenges.
- Achievements realized from previous initiatives.
- Recommendations for the next year.

This report becomes a reference for researchers, institutions, media, and governments.

Concerned Parties

An alliance of major fiqh academies establishes "the Annual Report Issuing

Committee." The committee oversees the preparation of the report, written by a research team. It is published in multiple languages.

Required Resources

A small specialized team (3-5 full-time researchers). Annual funding ~\$200,000-\$400,000.

Success Indicator

(1) Issuance of the first report within 12 months. (2) Wide acceptance as an annual reference. (3) Measurable impact on the general trajectory of digital fatwa-issuance.

Conclusion of the Chapter and the Conclusion of the Book

These ten initiatives are not fantasy. Each one of them is implementable, with available resources, within a foreseeable horizon. Some of them have already begun — such as the unified platform (in its primitive form), the fatwa observatory (in a number of research centers), and the questioner-education campaigns (in some communities). What we lack is integration, expansion, and institutional commitment.

This chapter — and this book — does not claim to provide the complete answer. It poses new questions to the jurisprudence of fatwa-issuance in an age that is transforming rapidly, and proposes initial paths to answering them.

What we hope of this work: that it be a brick in a larger building, in which the scholars of the Ummah and its institutions cooperate to mend what deserves mending, and to preserve what deserves preserving, in a time that gathers between challenge and opportunity in a manner history has not known before.

We ask God — at the conclusion of this book — to make it an ongoing charity, and a beneficial knowledge. To guide the scholars of the Ummah to that which benefits it in its religion and its life. To write for us and for the reader the reward of one who indicates good, or strives for reform. And to overlook in us where we have erred, and where we have fallen short — for the aim is worship, and perfection is for God alone.

"Our Lord, accept this from us — indeed, You are the Hearing, the Knowing." "And

the last of our supplication is: praise be to Allah, Lord of the worlds."

And may the peace and blessings of Allah be upon our Prophet Muhammad, and upon his family and all his companions.

— End of the First Draft of Chapter Ten —

— End of the Book —

"Fatwa in the Age of Digital Transformation — From the Eligibility of the Mufti to the Fatwa Ecosystem"

General Conclusion

The Journey We Have Traveled

This book opens with a question simple in appearance, profound in substance: What is fatwa? Who is the mufti? What is chaos in fatwa-issuance?

We have sought to answer through ten chapters, moving between foundation, transformation, and proposal. We preserved the classical inheritance from our great jurists, and built atop it layers that absorb the transformations of our age. At the close of this journey, we now bring forward what we consider most essential.

Core Findings

First: On Concepts. Chapter One demonstrated that the classical definitions of fatwa, mufti, and mustaftī (questioner) remain accurate in themselves but require contemporary supplements. We proposed a definition of digital chaos: "The fragmentation of fatwa authority and its dispersal across multiple digital actors in isolation from the controls of eligibility, accompanied by the absence of an objective mechanism for distinguishing the qualified from the unqualified in the open sphere." We also presented a five-fold portrait of the digital mustaftī.

Second: On the Personhood of the Mufti. Chapter Two showed that the classical conditions (legal capacity, scholarly knowledge, and character) remain necessary but are no longer sufficient for one who

issues fatwa in the digital sphere. We introduced the "Five Compound Qualifications": media competence, psychosocial awareness, technological literacy, the jurisprudence of digital consequences, and media integrity. This is a collective profile applicable to anyone choosing to take up fatwa on digital platforms.

Third: On the Ranks of the Mujtahids. Chapter Three extracted from Footnote 26 of the 2018 paper, where it lay buried, into a chapter of its own. We added the "Contemporary Seventh Rank: The Collective Institutional Mujtahid" — not as innovation, but as a natural extension of the heritage of consultation (shūrā) and collective fatwa in Islamic tradition. This rank is the key to many solutions offered in the chapters that follow.

Fourth: On Contemporary Fatwa Chaos. Chapter Four offered a contemporary reading across five transformations (the shift of the center to short-form video; the rise of the religious influencer; the collapse of traditional fatwa authority before the attention economy; the culture of religious trending; the politicization of certain fatwas) and five dimensions of chaos (source, formulation, context, reception, and accountability). This reading constitutes a substantive update to our original 2018 diagnosis.

Fifth: On the Ethical Framework. Chapter Five presented a code of six ethical principles for digital fatwa-issuance. The principles are not legal regulation but an ethics of self-governance. They flow from the recognition that issuing fatwa on platforms is a new kind

of activity, with its own structure and ethical requirements.

Sixth: On Artificial Intelligence. Chapter Six concluded — after a foundational analysis of the pillars of fatwa — that artificial intelligence is not a mufti and will not become one. It lacks eligibility, knowledge in the jurisprudential sense, intention, the comprehension of context, and the weighing of higher objectives (maqāṣid). As an assistive tool for the human mufti, however, it can be beneficial under articulated controls. We warned of "machine-issued fatwa" and its dangers to the sovereignty of religious discourse.

Seventh: On Digital Minorities Fiqh. Chapter Seven showed that the fiqh of minorities is not a peripheral branch but a laboratory in which the problems of fatwa-issuance manifest before they reach Muslim-majority

lands. The American (and broadly Western) Muslim urgently needs local authorities who understand his context, not imported fatwas from distant lands flowing through social media.

Eighth: On the Collective Fatwa Ecosystem. Chapter Eight completed what Chapter Three founded. We reviewed models of collective fatwa, AMJA's experience as an advanced exemplar, and articulated five elements of a comprehensive digital fatwa ecosystem.

Ninth: On Evaluating the 2018 Proposals. Chapter Nine conducted a self-critical examination of our six earlier proposals. From it we learned that the failures of implementation were not due to defects in the proposals so much as to structural transformations larger than them.

Tenth: On the Roadmap. Chapter Ten offered ten implementable initiatives, with concerned

parties, required resources, and success indicators identified. These are not fanciful but a practical entry-point for institutional conversation.

What This Book Did Not Cover

Scholarly fairness requires us to name what this book did not address, so that students of knowledge may continue the road from where we left off:

- The Arab experience, distinct from the Western context. The book concentrated on the fiqh of minorities and the AMJA context. But the chaos of fatwa in the Arab world has its own particularities that warrant a separate study.
- Deep technical examination of AI. The book offered a general framework, but every emerging issue in artificial

intelligence (image generation, voice synthesis, virtual reality) deserves dedicated treatment.

- The legal dimension. The relationship between digital fatwa and civil law (intellectual property, platform regulation, legal responsibility) calls for specialist research.
- Comparative religious experiences. It may prove fruitful to compare Islamic digital fatwa with parallel experiences in other faith traditions (Catholic, Jewish).
- Granular field research. The book is theoretical in much of its scope. Field studies — surveying the impact of fatwas on communities, polling questioners — would enrich this work.

Reflections on the Journey

Having completed this book, I return to its opening pages and find that I now see the mufti through a different lens than I did eight years ago. Then I saw him as a "guardian of rulings." Now I see him as a "guardian of the relationship between the Ummah and its Lord." The difference between the two visions is profound. The logic of "guarding rulings" focuses on regulating the fatwa. The logic of "guarding the relationship" focuses on ensuring that the Muslim finds his way to his Lord through fatwa — not that he stumbles on the way.

Digital fatwa, well-used, can be a blessing. It allows the Muslim in a distant land to consult a scholar he knows. It opens doors of learning to a public previously unreached. It facilitates communication among scholars across regions. Poorly used — as it is now in many

cases — it becomes an affliction, confusing the public, disordering jurisprudence, and dishonoring the Ummah.

The line between blessing and affliction is drawn by us — by the scholars of the Ummah, their institutions, and their public. If we do well, we will benefit. If we neglect, we will lose.

Supplication

In closing this book, I beseech Allah to accept it. To make it among the knowledge that brings benefit. To guide the scholars of the Ummah to that which mends the affair of fatwa. To grant whoever reads this book, or points another to it, or strives to apply any of its initiatives — to grant them complete reward, and conceal their shortcomings by His grace.

And I ask Him to forgive me where I have erred. For whoever examines this book may find errors and shortcomings — this is the nature of human work. Perfection belongs to Allah alone.

"Our Lord, accept this from us — indeed, You are the Hearing, the Knowing." "And the last of our supplication is: praise be to Allah, Lord of the worlds."

And may the peace and blessings of Allah be upon our Prophet Muhammad, and upon his family and all his companions.

— End of the Book —

*Fatwa in the Age of Digital Transformation —
From the Eligibility of the Mufti to the Fatwa
Ecosystem*

Dr. Ahmed Abouseif — May 2026

Appendix (A): The Original 2018 Research

Preliminary Note

This appendix preserves the text of the original research presented at the Fifteenth Imams' Conference of the Assembly of Muslim Jurists of America (AMJA) in February 2018, under the title: "Fatwa Between the Eligibility of the Mufti and the Chaos of Fatwa-Issuance." It is preserved here in its typographically revised form (after re-setting under the v1.0 protocol), without altering its substance or methodology.

Scholarly integrity requires preserving the original research as a document of its phase, so the reader may compare what was written

in 2018 with what has been developed in the present book. This transparency is part of the methodology I have professed: I do not demolish the foundation; rather, I build upon it. The reader will find in the body of the book frequent references to this appendix whenever discussion of an earlier idea arises, alongside an evaluation of its development.

The original text is divided into three parts, each a separate file in the drafts folder:

- Part One: Introduction and Preamble — pages 1-10 of the original copy.
- Part Two: The Chaos of Fatwa and the Conclusion — pages 28-34 of the original copy.
- Part Three: The Etiquettes of the Mufti — pages 11-27 of the original copy.

(These three parts are merged into the final book file and placed within this appendix in their original order.)

Note: The three revised drafts may be found at the following paths in the project folder:

- Original_Research_Revised_v1.0_Part1_Introduction_and_Preamble.docx
- Original_Research_Revised_v1.0_Part3_Etiquette_of_the_Mufti.docx
- Original_Research_Revised_v1.0_Part2_Chao_of_Fatwa_and_Conclusion.docx

Appendix (B): Glossary of Terms

This glossary brings together the foundational terms used throughout the book, divided into two sections: classical jurisprudential and *uṣūlī* (legal-theoretical) terms, and contemporary digital and media terms. The aim is to provide the reader with a quick reference to return to when needed, especially since the book moves freely between the two universes of discourse — classical and contemporary — and assumes a basic familiarity with both.

Section One: Classical Jurisprudential Terms

Term	Definition
Ahliyya (Eligibility)	The qualification of a person to be the

Term	Definition
	source of an act and to receive its consequences. It combines scholarly competence, moral uprightness (‘adāla), and integrity. It is the central concept governing the legitimacy of issuing fatwa.
Istinbāṭ (Derivation)	Extracting a ruling from the legal sources by reflection and ijtihād.
Ijmā‘ (Consensus)	The agreement of the scholars of the Muslim community after the Prophet's death (peace be upon him) on a particular legal ruling.
Ijtiḥād	The exhaustive exertion of the jurist's capacity to

Term	Definition
	attain knowledge or probable judgment regarding a Sharī‘a ruling.
Iftā’ (Fatwa-Issuance)	Informing of the legal ruling in a particular case, performed by one qualified to do so.
Taklīf (Legal Charge)	The commands and prohibitions God has imposed upon the legally responsible servant.
Taqīd (Following)	Adopting another's opinion without proof. It applies to the layperson who lacks the qualifications for ijtihād.
Dalīl (Evidence)	That by which the jurist substantiates a Sharī‘a ruling, such as the Qur’ān, Sunna, consensus,

Term	Definition
	and analogy.
Fatwā	Informing of the ruling of God Almighty not by way of binding compulsion (al-Shātibī). Information given by one who is qualified, on the basis of Sharī'a evidence, in a particular case.
Fiqh	Knowledge of the practical Sharī'a rulings acquired from their detailed evidences.
Fawḍā (Chaos)	Disorder in the discharge of functions and duties. In fatwa: issuing a fatwa by one not qualified, or in a place that should not host fatwa, or in a manner that does not

Term	Definition
	honor the Sharī'a-grounded methodology.
Qiyās (Analogy)	Extending a ruling from an original case to a branch case on account of a shared effective cause ('illa).
Mujtahid	The scholar in whom the conditions of ijtihād are met, such that he can derive rulings from the evidences himself.
Mujtahid Muṭlaq (Absolute Mujtahid)	One who exercises ijtihād in the subsidiary issues relying on his own methodology, outside the framework of established schools — like the founding imams of the schools.
Madhhab (School)	The jurisprudential method adopted by

Term	Definition
	one of the imams, which his followers continue (Ḥanafī, Mālikī, Shāfi‘ī, Ḥanbalī).
Mas’ala (Case)	A jurisprudential question that the jurist examines in order to issue his ruling.
Mustaftī (Questioner)	The petitioner who seeks the Sharī‘a ruling from the mufti.
Muftī	He who occupies, in the community, the station of the Prophet ﷺ (al-Shāṭibī). The one capable of knowing the rulings of cases through evidence.
Maqāṣid al-Sharī‘a	The universal aims for which the Sharī‘a was revealed, such as the preservation

Term	Definition
	of religion, life, intellect, lineage, and wealth.
Muwāzana (Weighing)	Comparing benefits and harms in order to prefer one over the other.
Nāzila (Novel Issue)	An incident requiring a juristic ruling, especially when novel and not previously adjudicated.
Naskh (Abrogation)	The lifting of a Sharī'a ruling by a later Sharī'a evidence.
Wara' (Scrupulosity)	Caution in giving fatwa, and guarding against what might lead to falling into the prohibited.

Section Two: Contemporary Digital Terms

Term	Definition
Attention Economy	An economic model that treats the user's attention as a measurable, purchasable commodity for which producers compete. Coined by Tim Wu and others; explains the structural logic of platforms.
Influencer Economy	An economic ecosystem in which persons with large social-media followings monetize that attention through advertising and partnerships. Religious influencers are a subset of this economy.
Generative AI	A category of

Term	Definition
	artificial intelligence capable of producing new content (text, image, audio) based on patterns learned from training data.
Large Language Model (LLM)	An AI model trained on enormous textual corpora; able to produce coherent linguistic responses. Examples: GPT-4, Claude, Gemini.
Hallucination	A phenomenon in language models where the model generates a linguistically convincing but fabricated answer, with no basis in reality. A serious risk when LLMs are used for fatwa.
Algorithm	A set of computational rules

Term	Definition
	that determine — on platforms — which content reaches which users. Platform algorithms are not neutral; they are designed to maximize engagement.
Filter Bubble	A phenomenon in digital media in which the algorithm shows the user content that aligns with his existing inclinations, narrowing his exposure to opposing views (Eli Pariser).
Fatwa Shopping	The questioner's movement among several fatwa sources in search of a ruling that suits his desire — a phenomenon facilitated by the

Term	Definition
	open digital space.
Religious Influencer	A figure who delivers religious content on platforms and possesses a large following, operating by the logic of virality and digital fame, not necessarily by the logic of academic-religious authority.
Clickbait	Sensational headlines that lure the user to click but fail to deliver on their promise — or frame the content in a misleading register.
Trend	A topic or hashtag that spreads rapidly across social media in a particular window, around which much content

Term	Definition
	is produced — including religious content.
Short-form Video	Video clips of 60–90 seconds, which have spread widely since 2019 via TikTok, Reels, and Shorts. They have reshaped the structure of religious discourse.
Viral Fatwa	A fatwa that spreads rapidly across social media, often because it is sensational or aberrant, generating intense engagement regardless of its scholarly soundness.
Automated Fatwa	A fatwa issued by a large language model without human intervention. It lacks the structural pillars of fatwa (eligibility,

Term	Definition
	intent, scholarly responsibility).
Fatwa Ecosystem	The aggregate of institutions, mechanisms, and tools that produce, distribute, and verify approved fatwas. The key term proposed in this book to move beyond the model of the individual mufti.
Institutional Collective Mujtahid	The term advanced in this book: an organized institutional collective entity, bringing together jurists and specialists, that issues fatwa collectively rather than individually. It addresses contemporary cases that exceed any

Term	Definition
	individual's capacity.
Verified Badge	A mark placed by the platform on authenticated accounts to distinguish them from impersonators. Some platforms (X, Meta) have weakened the meaning of the badge by tying it to subscription rather than verification.
AMJA	Assembly of Muslim Jurists of America — founded in 2002 in Houston, an academic fatwa authority for North America.
ECFR	European Council for Fatwa and Research — founded in 1997 in Dublin, an academic fatwa authority for

Term	Definition
	the West generally.

Appendix (C): Extended Bibliography

Preliminary Note

This list gathers the principal references of the book, organized into four sections. The full detail of all references — with publication data and chapter-by-chapter usage — is preserved in the Excel file attached to the project (Bibliographic_Library_v1.0.xlsx). What appears here is a selection of the most central works, with explanatory notes where necessary.

Section One: Uṣūlī and Jurisprudential Sources

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- Jam‘ al-Jawāmi‘ with the commentary of al-Maḥallī and al-Āyāt al-Bayyināt, Tāj al-Dīn Ibn al-Subkī, Dār al-Kutub al-‘Ilmiyya, Beirut.
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Appendix (D): Proposed Code of Conduct for the Digital Mufti

Preamble

This Code is a practical document that brings together what has been distributed throughout the book in the way of principles, controls, and qualifications. It is an open proposal — open to amendment and enrichment — that may be adopted by jurisprudential institutions as a voluntary accreditation standard for those who practice fatwa-issuance via platforms. It is written in the first-person voice (the voice of the mufti committing himself) in order to anchor it as

personal and conscious adherence, not merely an external regulation.

Articles of the Code

Article One: Scholarly Qualification

I do not present myself for fatwa-issuance on the platforms unless I have verified in myself the classical conditions of eligibility (legal capacity, scholarly competence, and moral uprightness). If these are not complete, I content myself with reporting the statements of the people of knowledge by way of narration, not by way of fatwa.

Article Two: Media Qualification

I recognize that fatwa-issuance on the platforms requires special skills in dealing with media: formulation, framing, and anticipation of clipping. I strive to acquire

these skills or to rely on someone who possesses them.

Article Three: Technical Literacy

I possess at minimum an understanding of how platforms, algorithms, and AI operate. I update my knowledge regularly as the technology evolves.

Article Four: Responsibility for the Published Word

I verify every piece of information before publishing it. I reflect on my phrasing so that it admits only the intended meaning. I bear the consequences of my words over the long term.

Article Five: Honesty in Titling

I do not use sensational headlines (clickbait) that exploit the human weakness for excitement. I choose a title that faithfully summarizes the content.

Article Six: Respect for Context

I do not reduce major issues to short headlines. Compound issues I treat with the level of detail they require, or I refrain from treating them on platforms that do not accommodate detail.

Article Seven: Disclosure of Interest

I disclose the sources of my funding insofar as they bear on the channel I administer. I disclose any personal interest in a matter on which I am issuing fatwa.

Article Eight: Avoidance of Emotional Inflammation

I do not use the language of incitement or emotional manipulation in my fatwas. I preserve for jurisprudence its rational nature, and do not lower it into the registers of sensationalism.

Article Nine: Responsibility for Clipped Copies

I follow how my fatwa is conveyed after its issuance. I issue clarifications when it is distorted or clipped. I train my team to convey the fatwa without distortion.

Article Ten: AI as a Tool, Not a Substitute

I use AI as a tool for research and organization, not as a substitute for my own juristic reflection. I review everything it produces manually before adopting it. I disclose my use of it where required.

Article Eleven: Forbidden Matters

I do not allow AI to intervene in matters of blood, lineage, divorce, ḥudūd, or matters of broad political consequence. These I keep to myself, after research and reflection.

Article Twelve: Deferral to the Collective

When I face a major issue affecting the community, I refer it to the collective jurisprudential academies; I do not act alone in issuing fatwa upon it.

Article Thirteen: Self-Critique

I accept constructive criticism of my fatwas, and I retract from an error once I have recognized it after issuance. Returning to the truth is better than persisting in falsehood.

Article Fourteen: Respect for the Audience

I do not descend to the logic of the crowd when it contradicts the truth, nor do I elevate myself above the audience when it inquires. I present the Sharī'a knowledge to it in a manner it can understand, without impoverishing knowledge or aggrandizing the scholar.

Article Fifteen: Supplication and Seeking Assistance

I open my work with supplication, and I seal it with seeking forgiveness. I seek God's help in every fatwa, for success comes from Him alone.

Appendix (E): Case Studies — Analytic Models

Preamble

This appendix offers five case studies, drawn from real-world patterns (not from any single identified case). The aim is to train the reader in the practical application of the analytic framework the book has provided. Each case presents: the context, the patterns of chaos observed, the analytic framework drawn from the book's chapters, and the lessons learned.

Case One: The Aberrant Viral Fatwa

Context

Across the years 2020–2024, we have witnessed several instances of fatwas issued by scholars or religious influencers that ran against the customary scholarly consensus, spread rapidly on social-media platforms, and were received by the public in a variety of ways. We treat them here as a category rather than as named instances, in order to preserve the analytic, non-personal character of the discussion.

Observed Patterns of Chaos

(1) The aberrant fatwa spreads faster than the established one, because it generates more engagement. (2) The measured jurisprudential reply loses its appeal beside the aberrant

headline. (3) Part of the audience — particularly those harboring a tendency that the aberrant fatwa nourishes — receives it favorably regardless of its scholarly soundness.

Analytic Framework

We draw from the book: "the chaos of source" (Chapter Four) — where the audience cannot distinguish the qualified from the unqualified; "the economy of virality" (Chapter Five) — where aberration earns engagement; "the institutional collective mujtahid" (Chapter Three) — the alternative able to face this phenomenon.

Lessons Learned

Responding to the aberrant fatwa is not sufficient. There must be: (1) building an audience capable of discrimination before the fatwa occurs; (2) institutional speed in

response; (3) production of compelling alternative content, not mere passive reply; (4) avoiding the "recycling" of the aberrant fatwa through extensive citation, lest the reply itself amplify it.

Case Two: The Religious Influencer Rising from Outside the Institution

Context

Since approximately 2019, new religious figures have arisen in the digital sphere, having not graduated from accredited scholarly institutions. Some are self-formed, some have received a few ijāzāt, some have encountered scholarship only via YouTube itself. The audience consumes them with the same hunger with which it consumes accredited scholars, while the accredited

institutions remain incapable of competing with them in reach.

Observed Patterns of Chaos

(1) The audience consumes them without verifying their scholarly background. (2) Official institutions are unable to compete with them in reach. (3) Some present beneficial content, and some present views contrary to the consensus. (4) The gap between the "academic scholar" and the "digital influencer" widens, with the audience choosing the latter.

Analytic Framework

We draw from: "the religious influencer" (Chapter Four) as a new actor; "composite qualifications" (Chapter Two) — many influencers possess some of them (media competence) and lack others (scholarly qualification).

Lessons Learned

Not every religious influencer is harmful. The problem is the absence of a mechanism to distinguish the beneficial from the harmful. The solution: (1) instituting "accreditation badges" for serious influencers; (2) graduating digital muftis who combine scholarly qualification with media competence; (3) educating the audience to ask about the speaker before consuming his content.

Case Three: The Fatwa Compressed into Thirty Seconds

Context

A widespread trend: an accredited scholar publishes a fatwa in a thirty-second Reel, in which he compresses a complex jurisprudential matter. The audience receives

it as if it were the final ruling, and applies it to cases the scholar did not intend.

Observed Patterns of Chaos

(1) Compression drops the exceptions and conditions. (2) The viewer understands the fatwa in a manner other than its intended sense. (3) Another scholar may treat the same issue in a different abbreviated manner, generating an apparent contradiction. (4) The audience chooses the fatwa that pleases it.

Analytic Framework

We draw from: "the chaos of formulation" (Chapter Four); "the pressure of abbreviation" (Chapter Five); "respect for context" in the ethical code.

Lessons Learned

Not every topic is suitable for a Reel. (1) The serious scholar knows what can be

compressed and what cannot. (2) When he compresses, he signals as much. (3) He leaves for the viewer a pointer to longer links for elaboration.

Case Four: Using Artificial Intelligence for Fatwa

Context

Since 2023, a growing number of users seek fatwa from large language models (ChatGPT and its peers) on Shari‘a matters. The answers are sometimes correct, sometimes fabricated (hallucinations). The user does not know the difference.

Observed Patterns of Chaos

(1) The user receives the answer as if it were the final ruling. (2) The model may misattribute a ḥadīth to a transmitter. (3) The model may cite statements of scholars who did

not utter them. (4) The model answers in the same confident tone whether the answer is correct or fabricated.

Analytic Framework

We draw from: "the place of AI relative to the pillars of fatwa" (Chapter Six); "the danger of the automated fatwa"; "the proposed code" for the mufti's use of AI.

Lessons Learned

The audience needs to be educated that AI is not a mufti. And jurisprudential institutions need: (1) awareness campaigns; (2) building reliable Sharī'a-grounded language models; (3) training muftis to use AI as a research tool, not as a substitute.

Case Five: Importing Fatwas Across Contexts

Context

A young Muslim in California consults a scholar in the Gulf about a residential mortgage in America. The scholar issues a fatwa on the basis of his understanding of a residential mortgage in his own country. The fatwa lands on a different reality, and yields unintended consequences.

Observed Patterns of Chaos

(1) The legal context in the Gulf differs from America. (2) The structure of the residential mortgage differs. (3) The available alternatives differ. (4) The outcome: a fatwa sound in its original context, misleading in its applied context.

Analytic Framework

We draw from: "fiqh of minorities" (Chapter Seven); "the chaos of context" (Chapter Four); the need for local authorities.

Lessons Learned

Fatwa does not transfer across contexts automatically. The audience needs: (1) awareness of the logic of fiqh of minorities; (2) reliable local fatwa platforms; (3) supporting local jurisprudential competence in the communities.

— End of Appendices —