

## A REVIEW OF THE BOOK FATWA

(Authored by Dr Tahir ul Qadri)

Avocat Jafar Samdani

Senior Associate lawyer, The Legal Center Law Firm, Kuwait

Review Article

### Corresponding Author\*

Avocat Jafar Samdani

### Article History

Received: 19.12.2019

Accepted: 20.12.2019

Published: 05.01.2020



**Abstract:** The intention of this review article is to invite discussion to explain the term “fatwa” to a wider audience, the explanation being drawn from a number of sources, both online and personal. The FATWA is an Arabic word, is pronounced as, “فتوى”. It is an Islamic Term meaning the legal verdict in response to a specific question is made, which is being issued by an authorized Islamic Qualified Scholar or Islamic Jurist (MUFTI) based Islamic Legal Principles as laid down in the Holy Quran & Sunnah. This paper will try to present a discussion on the views and explanation of the content of the book with the expectation to attract the views and criticism from other scholars.

### Introduction:

The FATWA is an Arabic word, is pronounced as, “فتوى”. It is an Islamic term meaning the legal verdict in response to a specific question is made, which is being issued by an authorized Islamic Qualified Scholar or Islamic Jurist (MUFTI) based on Islamic Legal Principles as laid down in the Holy Quran & Sunnah. It is a legal opinion of the authority based on Islamic jurisprudence in true sense of the teachings of Quran & Sunnah [1-4]. Some people use the term to mean an Islamic death sentence imposed upon a person. This is indeed one possibility among others (and would be in the case of something *Haraam*), though it is very much rare use for a fatwa. There are so many FATWAS had been issued by Muslim scholars or jurists and famous amongst those are- on the questions of Najafi, Muammar al-Gaddafi, Geert Wilders, Jerry Falwell, Salman Rushdie, Taslima Nasreen, Isioma Daniel, Raza رحل, Halabjaee, Ulil Abshar Abdalla and most famous one is the FATWA on terrorism and Suicide Bombings by a great scholar and jurist Shaykhul Islam Dr Muhammad Tahirul Qadri [5-7]. The term's correct definition is broader, since a fatwa may concern any aspect of individual life, social norms, religion, war, peace, jihad, and politics. Most Islamic opinions (millions of fatwa have been issued over the 1,400 years of Islam's existence) deal with mundane issues faced by Muslims in their daily life, such as the customs of marriage, financial affairs, moral questions, et cetera. They are issued in response to questions by ordinary Muslims, and go unnoticed by those not concerned.

A fatwa is not automatically part of Islamic teachings. While the person issuing it may intend to represent the teachings of Islam accurately, this does not mean that that person's interpretation will gain universal acceptance. “Quite a number of fatwa (plural) have been issued by Muslim scholars and

jurists”. [8] One of the most famous is the fatwa on terrorism and suicide bombings by the scholar and jurist Shaykhul Islam Dr Muhammad Tahirul Qadri in his The Great Fatwa. According to CNN, experts see the fatwa as a significant blow to terrorist recruiting. CNN's Amanpour show added the Fatwa summary to its website and declared it to be fatwa for peace, the US State Department declares the fatwa to be significant step in taking Islam back from terrorists. [9-17]

The 9/11 has changed the world and it has changed the principles of jurisprudence have to be revisited keeping in view the security of human life. It was tried to bracket the Muslims within the orbit of terrorism, it demanded to be addressed keen in accordance to the Islamic Jurisprudence, the said concern came up & questioned through the west and western media specifically and eastern media as well. The said perception started a new illegal, irrational and illegitimate understanding about Muslims connecting with terrorism. [18-23]

When it was hard time on Muslims, the most powerful and strong voice loudly has been uttered by the well-known scholar, researcher, educator, lawyer, jurist Shaykhul Islam Dr Muhammad Tahirul Qadri and stood up against it, responding the above-said perception and wrong understanding saying that there is no place of extremism and terrorism in Islam, added furtherance that Islam means peace, Islam stands for Peace, Islam promotes peace, Islam establishes peace, wants peace, delivers peace, protects peace and to get peace for all. Indeed Islam has no connection with extremism and suicide booming in any manner whatsoever. Some efforts have been undertaken in this regard as well. Shaykhul Islam Dr Muhammad Tahirul Qadri authored detailed legal verdict decomposing and composing the subject in this book and issued “Fatwa on Terrorism and Suicide Bombings”. It was very hard to stand against the evaporated tides and hot water having the assistance of media and the author came forward to define the subject and issued a legal verdict, [24-30] wherein all the related topics have been unfolded and highlighted & discussed with deeper appreciation, furtherance defined the concept of *jihad*, *darul islam*, *darul harb*, included answers to various rational questions, which are being asked by radicals about suicide bombing and *jihad*, hijacking of foreign diplomats and explained why it is not *jihad*. The Fatwa is one of the most comprehensive condemnations of terrorism to date containing (Total 512 pages) 475 pages with more than 1000 references containing on eighteen (18) chapters, added with 33 pages of Introduction by Professor Joel S. Hayward (Dean of the Royal Air Force College, Cromwell and Head of Air Power Studies, King's College London) and the foreword by Prof John L. Esposito of Georgetown University, Washington DC. The FATWA issued by author has been certified by Islamic Research Council (Al-Azhar, Egypt) and appreciated by Dr Hassan Abbas (Haward University, USA), Carla Power (Time), Professor Muqtedar Khan (Delaware University, USA), Professor Mannan Ahmad (Freie University, Germany), Fareed Zakaryia (CNN) and The Globe and Mail (Canada). The Fatwa has been Printed by Biddles Book Printers, Norfolk UK, produced in Canada, published (firstly) December 2010 by Minhaj-ul-Quran International 292–296 Romford Road Forest Gate London, E7 9HD United Kingdom with ISBN–13: 978–0–95518–889–3 ISBN–10: 0–9551888–9–X Library of Congress Control Number: 2010939059. Today it is available in many languages of the world.

The FATWA deals a devastating blow to stateless organizations and its affiliates by removing decisively any remnant of theological justifications for terrorism. No longer can the terrorists and similar organizations employ Muslim scripture with impunity to advance the on slaughter of civilians. This fatwa is a direct refutation of the ideology of stateless peoples and is one of the most extensive rulings, an "absolute" condemnation of terrorism without "any excuses or pretexts" which goes further than ever and declares terrorism as *kufir* (كفر) under Islamic law. This historic Fatwa on Terrorism and Suicide bombings demonstrated from the Quran and Sunnah that terrorism and suicide bombings are so unjust that their evil is un-Islamic. The author said in its inauguration, “Terrorism is terrorism, violence is violence and it has no place in Islamic teaching and no justification can be made for it, or any kind of excuses or ifs or buts.. [31-35]. This is 1st time the FATWA has been issued to save the humanity rather to hang someone. It is said that whosoever indulges and involves in those stateless activities against the

state or its peaceful citizens killing or trying to kill the human peace are out of the ambit of ISLAM and those stateless to be killed till end. The artistic fashion of research and its delivery of the author is very much comprehensive and the table of the contents of this book Fatwa and it has titles of the chapters, topics, and sub subtopics consisting of 10 pages, which reflects the impression of the coverage and the visionary targeted mind of the author. Each topic is defined literary, thereafter by the experts' opinions, and is habitual in relaying on authentic relevant, reliable documents. The 18 chapters of the book are named as such: 1. Meaning of Islam; 2.Unlawfulness of Indiscriminately Killing Muslims; 3.Unlawfulness of Indiscriminately Killing Non-Muslims & Torturing; 4.Unlawfulness of Terrorism against Non-Muslims (during war); 5.Non-Muslim's Lives Protection, Properties and Places of Worship; 6.Unlawfulness/ Forcing One's Belief, Destroying Places of Worship; 7.Legal Maxims, Basic Rights of Non-Muslim Citizenry of Islamic State; 8.Unlawfulness of Rebelling against Muslim State or Authority; 9. Rebellion: Its Gravity and Punishment; 10.The Legal Status of Fighting against a Corrupt Government; 11.Legal Verdicts/Statements from the Four Imams and Eminent Authorities; 12.Statements from Contemporary Salafi Scholars against Terrorists; 13.Tribulation of the Kharijites and Modern-Day Terrorists; 14.Prophetic Sayings regarding the Kharijite Terrorists; 15.The Prophetic Decree to Turmoil of Kharijites to be Eliminated; 16.The Imams charged Kharijites with Disbelief and Ordered the Elimination; 17. Today's Terrorists Are Kharijites; 18.The Peaceful Method of Social and Political Struggle.

The author said that it was wrong to bracket Islam with terrorism. He said that those who sought to establish linkage between terrorism and Islam actually did so out of ignorance of Islamic teachings and their personal prejudices, that bringing religion of Islam into disrepute by ascribing terrorism to it was no way to eliminate terrorism. Such an attitude creates hurdles in the way of efforts to uproot the menace of terrorism and extremism. He who commits terrorism is neither a human being nor a Muslim. These things have nothing to do with Islam. He asked the media not to refer to Islam while reporting on acts and incidents of terrorism. He said that the term 'terrorism' must be deleted from the Islamic context and should not be made mention of together with this great religion or any other for that matter as no religion of the world sanctions the use of violence, terrorism or killing. Furtherance the author said, "The literal meaning of Islam is peace and those who embrace this religion from the core of their heart cannot even think of committing such heinous crimes as terrorism and killing of people. Peace is directly linked to Paradise and whatever and whosoever harms peace and security cannot enter Paradise. Such a person is the resident of hell". The Great FATWA was highly welcomed and appreciated internationally, wherein its live coverage was telecasted by more than 100 television channels and print media as well hundreds worldwide websites [36-41]. The Pope Benedict XVI reportedly appreciated that it promoted peace, harmony and interfaith dialogue and the services while receiving the great book FATWA [42]. According to CNN, experts see the fatwa as a significant blow to terrorist recruiting. CNN's Amanpour show added the Fatwa summary to its website and declared it to be fatwa for peace, [43-44] while the US State Department declares the fatwa to be significant step in taking Islam back from terrorists. The author undertook the remarkable, result oriented and reliable authoritative based research in defusing the dilemma and the author conceptually clarified the doubts, questions, concerns and the perceptions hatched and concocted by ill minds or crooks based on mala fide and got penetration into a layman, which caused the hidden menace towards Muslims, here the author stood and articulate this great book FATWA and established the barrier against this misconception and developed a clear, fair and strong authority. It seems not feasible to sum up in a short summary of this great research work of the author i.e. FATWA, hence recommended to go through this book fully for wider and research based appreciation to meet the need of the day [45-47]. The author is a spiritualist & revolutionist multilingual globally recognized authority on the Islamic law and he is considered as vocal power of Islam, drawing on his deep, erudite insight into the life and teachings of the blessed Prophet Muhammad (peace be upon him) and fourteen centuries of Islamic

scholarship. The author is a former professor of Law and Head of Department of Islamic Jurisprudence and Legislation at the University of the Punjab Law College, advisor to Supreme Court of Pakistan (Shariyat Applet Bench) and is a leader of the overwhelming majority of Muslims, known educationist, jurist and scholar. The author is the founder of Minhaj-ul-Quran International having its branches & centres in more than 90 countries. He studied classical Islamic sciences under eminent scholars around the world and has received around 500 authorities, while holding the PhD in Philosophy of Punishments and their Classifications in Islam. He has authored around 1000 books (over 575 of which are published) and delivered 15,000 lectures around the world. He has been awarded a number of international titles such as Man of the Year, Outstanding Personality, Man of the Century by ABI USA and he has been awarded the Consultative status by UNO for global peace. His educational Program is known as the biggest one Non-Governmental Educational Program by UN. His lectures are available (Urdu, English & Arabic), on a wide range of subjects in CD, DVD, and book formats as well as online with organizational details at [www.minhaj.org](http://www.minhaj.org). It is highly recommended for everyone, specifically for lawyers, jurist, judges, High officials, politicians, the professors & students of law and political science, journalists, westerners and theological scholars for proper reading and considerations.

\*\*\*\*\*

### **Bibliography**

- 1- <https://en.wikipedia.org/wiki/Fatwa>
- 2- <https://www.britannica.com/topic/fatwa>
- 3- [https://www.academia.edu/19680983/History\\_of\\_fatwa](https://www.academia.edu/19680983/History_of_fatwa)
- 4- <http://www.iranicaonline.org/articles/fatwa>
- 5- [https://en.wikipedia.org/wiki/List\\_of\\_fatwas](https://en.wikipedia.org/wiki/List_of_fatwas)
- 6- [https://en.wikipedia.org/wiki/Fatwa\\_on\\_Terrorism](https://en.wikipedia.org/wiki/Fatwa_on_Terrorism)
- 7- <https://www.amazon.com/Terrorism-Suicide-Bombings-Muhammad-Tahir-ul-Qadri/dp/095518889X>
- 8- <https://www.npr.org/templates/story/story.php?storyId=4775646>
- 9- <http://news.bbc.co.uk/2/hi/uk/8544531.stm>
- 10- <https://www.sify.com/news/pakistani-islamic-scholar-to-issue-600-page-fatwa-against-terrorism-suicide-bombing-news-international-kdcpahffbafsi.html>
- 11- <http://edition.cnn.com/2010/WORLD/asiapcf/03/03/terror.fatwa.analysis/index.html>
- 12- <https://www.independent.co.uk/news/uk/home-news/sheikh-issues-fatwa-against-all-terrorists-1915000.html>
- 13- <https://www.theguardian.com/commentisfree/belief/2010/mar/02/fatwa-anti-terrorism-minhaj-qadri>
- 14- <http://blogs.reuters.com/faithworld/2010/03/02/tahir-ul-qadri-and-the-difficulty-of-reporting-on-fatwas/>
- 15- <https://www.khaleejtimes.com/article/20100315/ARTICLE/303159997/1098>
- 16- <https://www.dailymotion.com/video/xy3sc8>
- 17- [https://www.youtube.com/watch?v=j\\_kQjkbjFBg](https://www.youtube.com/watch?v=j_kQjkbjFBg)
- 18- [https://www.rand.org/content/dam/rand/pubs/monographs/2004/RAND\\_MG246.pdf](https://www.rand.org/content/dam/rand/pubs/monographs/2004/RAND_MG246.pdf)
- 19- <https://dergipark.org.tr/download/article-file/411829>
- 20- <https://www.jstor.org/stable/4124213?seq=1>
- 21- <https://www.nytimes.com/2019/09/11/opinion/september11-attacks-2001.html>
- 22- <https://www.deseret.com/indepth/2019/9/10/20857801/9-11-american-muslims-government-surveillance>
- 23- <https://www.pbs.org/newshour/nation/9-11-to-today-ways-we-have-changed>
- 24- <https://www.youtube.com/watch?v=KNDanFjzHek>

- 25- <https://www.youtube.com/watch?v=ZGPKDnpkWI>
- 26- <https://www.independent.co.uk/news/uk/home-news/sheikh-issues-fatwa-against-all-terrorists-1915000.html>
- 27- [https://en.wikipedia.org/wiki/Fatwa\\_on\\_Terrorism](https://en.wikipedia.org/wiki/Fatwa_on_Terrorism)
- 28- <https://www.minhaj.org/english/tid/9959/Historical-Launching-of-Fatwa-Against-Terrorism-leading-Islamic-authority-launches-fatwa-against-terrorism-and-denounces-suicide-bombers-as-disbelievers-Anti-terror-Fatwa-launched.html>
- 29- [https://www.huffpost.com/entry/whos-really-behind-tahir-\\_b\\_1266232](https://www.huffpost.com/entry/whos-really-behind-tahir-_b_1266232)
- 30- <https://www.bbc.com/news/uk-10900478>
- 31- [http://minhajbook.kortechx.netdna-cdn.com/images-books/Edict-Terrorism-Fitna-Khawarij/Edict-Terrorism-Fitna-Khawarij\\_1.pdf](http://minhajbook.kortechx.netdna-cdn.com/images-books/Edict-Terrorism-Fitna-Khawarij/Edict-Terrorism-Fitna-Khawarij_1.pdf)
- 32- <https://www.minhaj.net/images-db2/fatwa-eng.pdf>
- 33- <https://www.duo.uio.no/bitstream/handle/10852/62896/Master-Thesis-Katheryne-Syversen.pdf?sequence=1&isAllowed=y>
- 34- [https://www.researchgate.net/publication/325202907\\_FATWA\\_on\\_Terrorism\\_and\\_Suicide\\_Bombings](https://www.researchgate.net/publication/325202907_FATWA_on_Terrorism_and_Suicide_Bombings)
- 35- [file:///C:/Users/jafar/Downloads/FATWA\\_on\\_Terrorism\\_and\\_Suicide\\_Bombings\\_printable.pdf](file:///C:/Users/jafar/Downloads/FATWA_on_Terrorism_and_Suicide_Bombings_printable.pdf)
- 36- <https://www.minhaj.org/english/oid/10818/Fatwa-welcomed-by-Islamic-scholars-and-Experts.html>
- 37- [https://en.wikipedia.org/wiki/Fatwa\\_on\\_Terrorism](https://en.wikipedia.org/wiki/Fatwa_on_Terrorism)
- 38- <https://www.bbc.com/news/uk-15044797>
- 39- [http://news.bbc.co.uk/2/hi/uk\\_news/magazine/8550927.stm](http://news.bbc.co.uk/2/hi/uk_news/magazine/8550927.stm)
- 40- <https://www.express.co.uk/news/uk/161425/Cleric-issues-fatwa-on-suicide-bombers>
- 41- <https://www.telegraph.co.uk/news/politics/7351537/Muslim-cleric-issues-fatwa-against-Islamist-terrorists.html>
- 42- <https://www.interfaithrelations.com/english/tid/14224/Fatwa-on-Terrorism-presented-to-Pope-Benedict-XVI-in-Vatican-City-Minhaj-man-Fatwa-on-Terrorism-and-Suicide-Bombings-issued-by-Shaykh-ul-Islam-Dr-Muhammad-Tahir-ul-Qadri/>
- 43- <http://edition.cnn.com/2010/WORLD/europe/03/03/fatwa.against.terror/index.html>
- 44- <http://amanpour.blogs.cnn.com/2010/03/11/fatwa-for-peace/>
- 45- [https://infogalactic.com/info/Muhammad\\_Tahir-ul-Qadri](https://infogalactic.com/info/Muhammad_Tahir-ul-Qadri)
- 46- <https://infogalactic.com/info/Minhaj-ul-Quran>
- 47- <https://www.minhaj.org/english/tid/8718/A-Profile-of-Shaykh-ul-Islam-Dr-Muhammad-Tahir-ul-Qadri.html>