

21018 - The danger of rushing to issue fatwas

the question

There are some muftis on some satellite channels who answer all questions without exception. Some people in some gatherings, when a question is posed, rush to answer it and each of them wants to speak before the other. What is the Islamic ruling on this?

Detailed answer

Ibn al-Qayyim said:

The salaf, the Sahaabah and Taabi'een, used to regard it as makrooh to rush to issue fatwas. Each of them would wish that someone else would take care of it, but if he realized that he had no alternative but to answer, he would do his utmost to find the ruling from the Qur'aan and Sunnah or the words of the Rightly-Guided khaleefahs, then he would give his fatwa. 'Abd-Allaah ibn al-Mubaarak said: Sufyaan told us from 'Ataa' ibn al-Saa'ib from 'Abd al-Rahmaan ibn Abi Layla who said: I met one hundred and twenty of the Companions of the Messenger of Allaah (peace and blessings of Allaah be upon him) – and I think he said, in the mosque – and there was none of them who had to speak but he wished that his brother would take care of it; there was no one who had to give a fatwa but he wished that his brother would take care of it. Imaam Ahmad said: Jareer told us from 'Ataa' ibn al-Saa'ib from 'Abd al-Rahmaan ibn Abi Layla that he said: I met one hundred and twenty of the Ansaar from among the Companions of the Messenger of Allaah (peace and blessings of Allaah be upon him), and there was no man among them who was asked about something but he would wish that his brother would take care of it, and there was none who had to speak but he would wish that his brother would take care of it.

Maalik said, narrating from Yahya ibn Sa'eed that Bukayr ibn al-Ashajj told him, narrating from Mu'aawiyah ibn Abi 'Ayaash that he was sitting with 'Abd-Allaah ibn al-Zubayr and 'Aasim ibn 'Umar, when Muhammad ibn Iyaas ibn al-Bukayr came and said, A man from among the desert people has divorced his wife three times, what do you think? 'Abd-Allaah

ibn al-Zubayr said, This matter is something about which we know nothing; go to 'Abd-Allaah ibn 'Abbaas and Abu Hurayrah, for I have just left them with 'Aa'ishah the wife of the Prophet (peace and blessings of Allaah be upon him), then come and tell us (what they say). So I went and asked them, and Ibn 'Abbaas said to Abu Hurayrah: Give him the answer, O Abu Hurayrah, for here there is a problem. Abu Hurayrah said: one talaaq makes her divorced, and three makes her forbidden to him until she has married another husband.

Maalik narrated that Yahyaa ibn Sa'eed said: Ibn 'Abbaas said: Everyone who issues fatwas to the people concerning everything that they ask him about is crazy. Maalik said: I heard something similar from Ibn Mas'ood. This was narrated by Ibn Waddaah from Yoosuf ibn 'Adiy from 'Abd ibn Humayd from al-A'mash from Shaqeeq from 'Abd-Allaah; and it was narrated by Habeeb ibn Abi Thaabit from Abu Waa'il from 'Abd-Allaah.

Sahnoon ibn Sa'eed said: the most audacious of the people in giving fatwas is the one who has the least knowledge; a man may have a grasp of one branch of knowledge and he thinks that all the truth is to be found in this branch.

I say: being audacious in giving fatwas may be because of a lack of knowledge or because of an abundance thereof. If he is lacking in knowledge he gives a fatwa on everything concerning which he is asked without knowledge. If his knowledge is abundant he will be able to answer a lot of questions. Hence Ibn 'Abbaas was one of the Sahaabah who issued the most fatwas. We have mentioned above that his fatwas were compiled in twenty volumes. Sa'eed ibn al-Musayyib also issued a lot of fatwas, and they used to call him al-Jaree' (the Bold), as was mentioned by Ibn Wahb from Muhammad ibn Sulaymaan al-Muraadi from Abu Ishaq, who said: I used to see a man at that time entering and asking about some matter, and the people would divert him, sending him from one gathering to another, until he was sent to the gathering of Sa'eed ibn al-Musayyib, because they did not like to issue a fatwa. He said, And they used to call Sa'eed ibn al-Musayyib, al-Jaree' (the Bold).

Sahnoon said: I memorized some issues concerning which there would be eight opinions from eight of the leading scholars, so how could I hasten to answer before I am certain which one is correct? Why should anyone blame me for not giving an answer? Ibn Wahb said: Ashhal ibn Haatim told us from 'Abd-Allaah ibn 'Awn from Ibn Seereen who said: Hudhayfah said: The one who gives fatwas to the people is one of three: either he knows what has been abrogated of the Qur'aan, or he is a leader who has no choice (but to issue a fatwa) or he is a fool who is doing something that is not his job. He said, perhaps Ibn Seereen said: I am neither of the first two, and I do not want to be the third.