



## CONSULT THE ULEMA

SHAYKH SAALEH AL-FAWZAAN

# Consult the Ulema

Shaykh Saaleh bin Fawzaan al Fawzaan

## Introduction

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All praise is due to Allah, the Lord of all that exists. He ordered us to adhere to His Book and the Sunnah of His Messenger, may Allah elevate his rank and grant him safety. Allah, the Exalted and Sublime stated:

اتَّبِعُوا مَا أَنْزَلَ إِلَيْنَا مِنَ الْكِتَابِ وَلَا تَتَّبِعُوا مِنْ دُونِهِ أَوْلِيَاءَ قَلِيلًا مَّا تَذَكَّرُونَ

**“Follow what has been sent down unto you from your Lord (the Quran and Prophet Muhammad's Sunnah), and follow not any Auliya' (protectors and helpers, etc. who order you to associate partners in worship with Allah), besides Him (Allah). Little do you remember!”** [Surat al-A'raf, Ayah 3]

I bear witness that there is no deity worthy of worship but Allah alone, who has no partners in His Lordship (ar-Rububiyyah), Worship (al-Uluhiyyah), nor His perfect Names and Attributes (al-Asmaa'u wa Siffaat). Glorified is Allah above all that they associate as partners with Him. I also testify that Muhammad is His servant and Messenger, the truthful and trusted. May Allah exalt his mention as well as his family and his companions; those who enjoined the truth and executed justice upon that. May abundant salutations of peace and safety be upon them.

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## The Necessity of Following the Book and the Sunnah

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Oh people! Be ever-mindful of Allah the Exalted. Cling tight to your religion and traverse upon the way of your Lord so that you may worship Him properly and enter His blissful garden of Paradise. This can be achieved by following His Book and the Sunnah of His Messenger (صلى الله عليه وسلم). Should something from the affairs of ibaadah (worship), social dealings, or religious commands confuse you, refer back to the Book of Allah and the Sunnah of His Messenger (صلى الله عليه وسلم) and you will find certain clarity therein. Allah says:

فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ  
ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا

**“And if you differ in anything amongst yourselves, refer it to Allah and His Messenger, if you believe in Allah and in the Last Day. That is better and more suitable for final determination.”** [Surat an-Nisaa, Ayah 59]

So in the case of the well-versed scholars who are educated in treating the evidence from the Qur’an and Sunnah, then they are obliged to produce the legal rulings pertaining to the issues they’re not certain of using evidence from these two sources. But in the case of laymen who are not educated to deduce legal ruling from the Qur’an and Sunnah, they are obliged to ask the scholars who are trusted for their religious understanding, as Allah says:

فَاسْأَلُوا أَهْلَ الذِّكْرِ إِنْ كُنْتُمْ لَا تَعْلَمُونَ

**“So consult those who know the Scripture [learned men of the Taurat (Torah) and the Injeel (Gospel)], if you know not.”**[Surat an-Nahl, Ayah 43]

Thus, our Sublime and Exalted Lord commanded all of us, scholars and laypeople alike, with following His Book and the Sunnah of His Messenger (صلى الله عليه وسلم) and receiving guidance from them, not from desires, wishes, the sayings of people, or differences of opinion. Adhering to this command guarantees the truth as well as rightness.

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### **Speaking Without Knowledge**

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Allah, the Majestic and Exalted has favored Muslims with His Book and the Sunnah of His Messenger (صلى الله عليه وسلم), along with the presence of well-versed scholars in every time and place. Therefore, it is upon us to consult them regarding our problems and critical affairs. The affairs of the general public are directed toward the authorized legal committees. Allah the Majestic and Exalted says:

وَإِذَا جَاءَهُمْ أَمْرٌ مِّنَ الْأَمْنِ أَوْ الْخَوْفِ أَدَّعَوْا بِهٖ وَلَوْ رَدُّوهُ إِلَى الرَّسُولِ وَإِلَىٰ أُولِي الْأَمْرِ  
مِنْهُمْ لَعَلِمَهُ الَّذِينَ يَسْتَنْبِطُونَهُ مِنْهُمْ وَلَوْلَا فَضْلُ اللَّهِ عَلَيْكُمْ وَرَحْمَتُهُ لَاتَّبَعْتُمُ الشَّيْطَانَ إِلَّا  
قَلِيلًا

**“When there comes to them some matter touching (public) safety or fear, they make it known (among the people), if only they had referred it to the Messenger or to those charged with authority among them, the proper investigators would have understood it from them (directly). Had it not been for the Grace and Mercy of Allah upon you, you would have followed Shaitan (Satan), save a few of you.” [Surat an-Nisaa’, Ayah 83]**

As for the issues connected to laymen, then they are turned to the people who are trusted regarding their knowledge and religion, consulting them until clarity is achieved. Laymen shouldn’t consult more than one whom they trust his knowledge and religion lest they fall into confusion – due to the possibility of confusing the answers – and they should put his advice into action.

As for those responsible with Fatwa, they should be well-aware that they will be questioned before Allah, the Mighty and Majestic, regarding their Fatwa. It is imperative that the one who informs people about Allah’s legislation is equipped with knowledge and a righteous intention, not guesses and things their mind invented and finding pleasure in that. Otherwise, this is from speaking about Allah without knowledge which is more severe than Shirk (polytheism). Allah says:

قُلْ إِنَّمَا حَرَّمَ رَبِّي الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَّنَ وَالْإِثْمَ وَالْبَغْيَ بِغَيْرِ الْحَقِّ وَأَنْ  
تُشْرِكُوا بِاللَّهِ مَا لَمْ يُنَزَّلْ بِهِ سُلْطَانًا وَأَنْ تَقُولُوا عَلَى اللَّهِ مَا لَا تَعْلَمُونَ

**“Say (O Muhammad صلى الله عليه وسلم): "(But) the things that my Lord has indeed forbidden are Al-Fawahish (great evil sins, every kind of unlawful sexual intercourse, etc.) whether committed openly or secretly, sins (of all kinds), unrighteous oppression, joining partners (in worship) with Allah for which He has given no authority, and saying things about Allah of which you have no knowledge.” [Surat al-A’raf, Ayah 33]**

So Allah explains that speaking about Him without knowledge is worse than Shirk, but shirk intended here is to speak about Allah while being ignorant of Him. Therefore, the Muslim is obliged to be aware of Allah's statement:

وَلَا تَقُولُوا لِمَا تَصِفُ أَلْسِنَتِكُمُ الْكُذِبَ هَذَا حَلَالٌ وَهَذَا حَرَامٌ لِّتَفْتَرُوا عَلَى اللَّهِ الْكُذِبَ  
إِنَّ الَّذِينَ يَفْتَرُونَ عَلَى اللَّهِ الْكُذِبَ لَا يُفْلِحُونَ \* مَتَاعٌ قَلِيلٌ وَلَهُمْ عَذَابٌ أَلِيمٌ

**“And say not concerning that which your tongues put forth falsely: "This is lawful and this is forbidden," so as to invent lies against Allah. Verily, those who invent lies against Allah will never prosper. A brief passing enjoyment will be theirs, but they will have a painful torment”** [Surat an-Nahl, Ayah 116-117]

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### **The Weight of Giving Fatwa**

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Fatwa is a serious matter, and because of this the Salaf used to say:

أَجْرَامٌ عَلَى الْفَتْوَى أَجْرَامٌ عَلَى النَّارِ

*‘Those of you rushing to give Fatwa are those of you rushing toward the Hellfire.’*

They would resist giving Fatwa even though they possessed an abundance of knowledge. Every one of them would forgo Fatwa, exchanging it for another branch of knowledge due its weightiness. Contrarily, nowadays there are many from the pretenders-to-knowledge and the religious innovators who exchange seeking knowledge for Fatwa, racing toward it void of any fear for Allah, the Exalted and Sublime. This is from the entrance into what doesn't concern them, as is stated in the hadeeth:

مِنْ حُسْنِ إِسْلَامِ الْمَرْءِ تَرْكُهُ مَا لَا يَعْنِيهِ

**‘From the perfection of one's Islaam is leaving off that which doesn't concern him’** [Narrated by Abu Hurairah, Collected by at-Tirmidhi who classified it ‘Hasan’]

Concerning this is a severe consequence as well as a grave circumstance. The affairs of Halal and Haram are matters of the religion, so be mindful of this with the utmost reservation. Additionally, the one seeking a verdict is nothing but a liability that the Mufti takes upon himself. Thus, the Mufti must be prepared for this, not considering it as something he can merely take or leave. Rather, he is accountable in front of Allah, the Exalted and Most High, due to declaring things as lawful and unlawful which is the sole right of Allah. However, if you have a statement from Allah and evidence from His Book and the Sunnah of His Messenger, and the situation forces or necessitates a Fatwa, then say what you have prepared and what you have knowledge of. And there is no fault or harm to say 'I don't know' if you are asked and you are unaware of the answer. There is no shame upon you and no decrease in your right if you said 'I don't know', because this statement is from virtuous sayings.

Also, if you aren't prepared to answer, then delay your response as much as you're able and consult the scholars and the sources of knowledge. Thereupon after this, answer with what has been made clear to you, for this is the safe path for the Mufti as well as the person seeking a Fatwa. We already mentioned that the Salaf, may Allah have mercy upon them, would forgo issuing Fataawa despite their extensive knowledge. None of them wished to assume the burden of Fataawa, so they would refer these affairs to the best men among them. Not to mention, it is from good manners to not issue a Fatwa while those who are more knowledgeable are in your presence. Allah the Glorious and Exalted says:

وَفَوْقَ كُلِّ ذِي عِلْمٍ عَلِيمٌ

**'Over all those endowed with knowledge is the All-Knowing'** [Surah Yusuf, Ayah 76]

So, attentiveness to these affairs is a must because as you know, we live in a time of turmoil with an unusually huge number of Muftis. Because of this, the people have reached a state of confusion and perplexity. This is the consequence of hastiness to issue Fataawa and delving into affairs one should disengage from, so do not partake in baseless talk of 'so and so said such and such'. We hear the claims of those who say there is a difference of opinion regarding prayer in congregation, and a difference of opinion pertaining to the Hijab. For every issue they say there is a difference of opinion. Yes, there are some differences of opinion; however, disagreements are reconciled through evidence.

فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ

**‘And if you differ in anything amongst yourselves, refer it to Allah and His Messenger’ [Surah an-Nisaa’, Ayah 59]**

Thus, whoever’s statement is consistent with the proof, we accept it from them, and whoever’s statement is opposite the proof, we reject it. This is because the judgment belongs to Allah the Exalted, He who judges between His servants in the life and the Hereafter.

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### **Be Careful From Whom You Seek Knowledge**

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We must conceive this and be cognizant of these affairs. We should not risk our religion and social dealings by entrusting them in the hands of anyone. Fatwa, as we have already mentioned, is of two types:

- 1. Public affair Fatawa:** These are assigned to the responsible committees of Fiqh and Fatawa to consider and provide rulings.
- 2. Individual matters:** They are assigned to the most suitable person the questioner can find in regards to knowledge, righteous action, and piety. Once this person is found, the questioner is to about whatever he/she needs.

Also, there are those who are careless in Fatwa and rush toward it while lacking knowledge, basing it upon their personal studies or what they see in the media and on websites. Then they say the judgment of so-and-so's affair is like this and that. They build their rulings on what they see and hear, with no discipline or reliable source, while it is an extremely serious matter in the religion of Islaam. How can we be so easy-going with our deen?! If you wish to embark upon business, marriage, or anything else of personal relevance, do you consult everyone or do you consult the people of sound judgment?

It is a must that you consult experienced people in order to keep your affairs sorted. Be upon proof and clarity and don't take knowledge from every Tom, Dick, or Harry. Be cautious with the religion and consult the scholars.

Allah, the Majestic and Most High, has not left us empty handed without a guide, nor have we been left to our own devices. Rather, Messengers were sent and the Book was revealed upon us. The scholars are commanded to clarify the religion to us and not to

conceal it.

وَإِذْ أَخَذَ اللَّهُ مِيثَاقَ الَّذِينَ أُوتُوا الْكِتَابَ لَتُبَيِّنُنَّهُ لِلنَّاسِ وَلَا تَكْتُمُونَهُ

**"(And remember) when Allah took a covenant from those who were given the Scripture (Jews and Christians) to make it (the news of the coming of Prophet Muhammad صلى الله عليه وسلم and the religious knowledge) known and clear to mankind, and not to hide it." [ali Imraan, Ayah 187]**

إِنَّ الَّذِينَ يَكْتُمُونَ مَا أَنْزَلْنَا مِنَ الْبَيِّنَاتِ وَالْهُدَىٰ مِنْ بَعْدِ مَا بَيَّنَّاهُ لِلنَّاسِ فِي الْكِتَابِ  
أُولَٰئِكَ يَلْعَنُهُمُ اللَّهُ وَيَلْعَنُهُمُ اللَّاعِنُونَ \* إِلَّا الَّذِينَ تَابُوا وَأَصْلَحُوا وَبَيَّنَّوْا فَأُولَٰئِكَ أَتُوبُ عَلَيْهِمْ  
وَأَنَا التَّوَّابُ الرَّحِيمُ

**"Verily, those who conceal the clear proofs, evidences and the guidance, which We have sent down, after We have made it clear for the people in the Book, they are the ones cursed by Allah and cursed by the cursers. Except those who repent and do righteous deeds, and openly declare (the truth which they concealed). These, I will accept their repentance. And I am the One Who accepts repentance, the Most Merciful." [al-Baqarah, Ayaat 159-160]**

Clearly this is a serious affair. Unfortunately, some of those who issue Fatwaa are so irresponsible that they follow every loophole found in scholars' statements and pick the one that fits his or the questioner's desires. This is an example of following desires.

فَإِنْ لَمْ يَسْتَجِيبُوا لَكَ فَاعْلَمْ أَنَّمَا يَتَّبِعُونَ أَهْوَاءَهُمْ وَمَنْ أَضَلُّ مِمَّنْ اتَّبَعَ هَوَاهُ بِغَيْرِ هُدًى  
مِّنَ اللَّهِ

**"But if they answer you not (i.e. do not believe in your doctrine of Islamic Monotheism, nor follow you), then know that they only follow their own lusts. And who is more astray than one who follows his own lusts, without guidance from Allah?" [Surat al Qasas, Ayah 50]**

Such a person desires to please the questioner in order to avoid being accused as an inflexible mufti. The mufti must instead think on the relationship between him and Allah before anything else. He must absolve himself from this liability and fear Allah regarding himself, what he is asked about, as well as his community. This is how our righteous salaf were, may Allah have Mercy upon them. So let's follow their lead, in shaa Allah.

وَلَا تَقُولُوا لِمَا تَصِفُ أَلْسِنَتِكُمُ الْكُذِبَ هَذَا حَلَالٌ وَهَذَا حَرَامٌ لِتَفْتَرُوا عَلَى اللَّهِ الْكُذِبَ  
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**"And say not concerning that which your tongues put forth falsely: "This is lawful and this is forbidden," so as to invent lies against Allah. Verily, those who invent lies against Allah will never prosper. A passing brief enjoyment (will be theirs), but they will have a painful torment." [Surat an Nahl, Ayaat**

116-117]

May Allah bless us with regards to this magnificent Qur'an, benefitting us with what it contains of advice and wise admonitions. This is what I wanted to mention, and I ask that Allah forgives me, you, and all of the Muslims from every transgression. So seek His forgiveness, for indeed He is the Oft-Forgiving, Most Merciful.

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Taken from a Friday Khutbah of the Noble Shaykh, may Allah preserve him

Translated by Abu Mohamed Abdul Kareem ibn Hagedorn 8-16-1436 (5-5-2015)

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