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Beware of the Muftī Mājin (Corrupt Muftī)!

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We rightly feel strongly about individuals in positions of authority, like doctors, who commit abuses that lead to physical and psychological harms to those under their professional care or guidance. To protect the public good, appropriate measures are taken to prevent further harm, for example, by removing these individuals from their positions of authority.

We should feel the same, if not greater, indignation toward abuses committed by religious authorities who promote false teachings or provide baseless and misguided religious advice. These actions cause immense religious harm, jeopardising the spiritual and eternal well-being of those under their guidance, in addition to their worldly well-being. For the sake of the public good, it is imperative to take measures to prevent these abuses, for example by refusing to recognise or support any supposed religious position they claim, e.g. "shaykh", "muftī" or "imām" and by issuing public warnings and condemnations against them.

When someone has flagrantly violated their amānah of scholarship, issued false and dangerous advice in the name of Islām (and has not recanted after being exposed for doing so), the public welfare must take precedence over their personal feelings of "offense" when cautioning others against accepting them as legitimate religious guides.

Imām Abū Ḥanīfah said: "The qāḍī may not interdict a mature, sane, free person except one whose harm extends to the public, which are three...The second is the muftī mājin (corrupt muftī), who teaches people (illegitimate) stratagems or issues fatwās based on ignorance."

(*Fatāwā QāḍīKhān*, 3:591) Shaykh al-Islām Khāharzādah adds: "And the ignorant muftī. Both (the muftī mājin and ignorant muftī) are similar because their harm is general." (*Ghāyat al-Bayān*, 14:155)

The author of *al-Hidāyah* (6:172) adds: "Because this is removing the harm of the greater (i.e. the public) with the lesser (i.e. interdicting him)."

One of the signs of the muftī mājin is also that "he doesn't mind making the ḥalāl ḥarām and the ḥarām ḥalāl, corrupting the dīn of the people." (*al-Bināyah*, 11:90) Imām al-'Aynī comments: "I have observed in Egypt a group adopting the form of the fuqahā' and dominating the positions of the most elevated scholars by mixing with tyrants and holders of political office, participating in their corruption, and providing them with fatwās that align with their corrupt motives and bankrupt desires. In doing so, they were misguided themselves and misled others. I heard from reliable sources that one of them issued a fatwā to a senior leader of theirs, declaring it permissible to fornicate with his male slaves, arguing from Allāh's statement: 'Or those your right hands possess'! Another in Egypt permitted drinking wine... and another declared the permissibility of *samā'*, dancing, listening to musical instruments...and other such drivel and falsehood. May Allāh protect us from the evil of these individuals, whose efforts are misguided in this worldly life and they have no share in the next life." (*al-Bināyah*, 11:90–1)

Al-Khaṭīb al-Baghdādī said: "The Muslim ruler should inspect the conditions of the muftīs, keeping those qualified for fatwā and preventing those not qualified from issuing it. He approaches them with (the command to) not involve themselves in it, and threatens punishment if they don't desist. The Umayyad rulers would appoint a specific group for fatwā in Makkah during the days of Ḥajj and issued a command that only they be asked for fatwā." (*al-Faqīh wa 'l-Mutafaqqih*, 2:324)