Rethinking Modern Fatwa Typology:
An Ethnographic Study of Al-Azhar's Fatwa Council

Muhammad Al-Marakeby[1]

Al-Azhar Islamic Research Academy, Cairo

m.almarakiby@yahoo.com

Abstract

This study addresses how al-Azhar's Lajnat al-Fatwa is situated in the modern context, and to what extent the taxonomy of official/non-official, traditional/modern, reformists/conservative may not help us in understanding the nature of the Lajnah. I argue that this kind of categorization can obscure rather than explain the Lajnah position. On the one hand, its fatwas are recognized by state institutions and courts as official; it toes the line on government policies discouraging political questions or debate; and it is influenced by the rational approach of modernity with regard to questions on jinn and sorcery. On the other hand, it challenges the nation-state's public policies on issues like bank interests, female circumcision, and mortgages; it lacks systematization that characterizes the modern institutions; and at least some of its members refuse to issue fatwas contradicting the established opinions of the four madhhabs. Many of those fatwas stand at odds with the views of Dār al-Iftāʾ, 'The' official fatwa institution in Egypt, which is more inclined to serve the national interests and programs of the government. The findings of this study encourage us to rethink our dichotomous classification of ulama and to avoid simplistic assumptions about fatwa councils in modern times. It shows how reality is more complicated, nuanced, and entangled than our sharply-defined categories.

Keywords: Fatwa typology; al-Azhar; traditional ulama; officialdom; modernity

---

Muhammad Al-Marakeby ○

Introduction

This study addresses how al-Azhar's *Lajnat al-Fatwa* (Fatwa Council, referred to here as 'the Lajnah') is situated in the modern context, and to what extent the taxonomy of official/non-official, traditional/modern, reformists/conservative may not help us in understanding the nature of the Lajnah. First, I provide a historical overview of the establishment and the development of the Lajnah, then I discuss the daily activities of the Lajnah through fieldwork observations and place this within debates on modern institutionalization. I then provide examples of the questions posed to the *muftīs* in the Lajnah, and how this is related to debates on secularism. Finally, I address what it means to be an official *fatwa* institution and how the Lajnah is more inclined to challenge state policies than Egypt's other leading *fatwa*-producing body, the Dār al-Iftāʾ. During my work on this paper, I confronted difficulties in finding references for the history of the Lajnah. Apart from a handful of pages in books about al-Azhar, I largely depended on Egyptian magazines and newspapers dating from 1935, in particular, seventy volumes of the al-Azhar magazine, in which some *fatwas* issued by the Lajnah were published. I also relied on al-Azhar archive to find documents on the history of the Lajnah and its sheikhs. Moreover, I draw on my findings from two months of fieldwork in 2016 where I regularly visited the Lajnah. The findings of this study encourage us to rethink our dichotomous classification of *ulama* and to avoid simplistic assumptions about *fatwa* councils in modern times. It shows how reality is more complicated, nuanced, and entangled than our sharply-defined categories.

The Establishment of the Lajnah

The Lajnah was established by the Sheikh of al-Azhar, Muḥammad Muṣṭafā al-Marāghī, in 1935. But it is important to understand the reasons that caused sheikh al-Marāghī to establish the Lajnah, despite the Dār al-Iftāʾ having already been found in Egypt. The answer to this question will enable us to shed light on the function of the Lajnah, and how it differs from other *fatwa* institutions. It has been argued that the Lajnah was established for responding to questions on religion that had been sent to the *Majallat al-Azhar* (Al-Azhar Magazine). With so many questions being sent to *Majallat al-Azhar*, there was a need for a committee of scholars to provide answers. Perhaps this explanation is better understood when we recognize that journals in early twentieth century had a significant role in reforming Islamic studies through answering *mustaftīs'* (petitioners) questions (See Halevi, 2019). Another view argues that the role of sheikh al-Dijwī in answering questions sent to *Majallat al-Azhar* was an important factor in the formation of the Lajnah. Al-Marāghī was reportedly not satisfied with the answers provided by al-Dijwī, so he decided to replace him indirectly by establishing the Lajnah and excluding al-Dijwī from its membership (Skovgaard-Petersen 1997, 161). However, these opinions seem

untenable. Why would al-Azhar establish a council of eleven of its senior scholars just to answer a few questions sent to a magazine? Moreover, by examining the *fatwas* in *Majallat al-Azhar*, one finds that questions were directed to the Lajnah not the journal (Al-Azhar Magazine, 16/2). Only later, after al-Azhar amendments of 1961, do we find that some questions were sent to the magazine directly by mail, and they were referred by the magazine to the Lajnah for responses (See al-Azhar Magazine, vol. 70).

'Abd al-Mun'im Khafājī provides another view on al-Marāghī's decision. He believes that the establishment of the Lajnah was the result of the large number of questions being sent to al-Azhar from other countries (1988, 131; Ministry of Endowment 1964, 355). This view has some merit when we study the questions published in *Majallat al-Azhar*. People from outside Egypt, particularly representatives of prominent religious institutions and supreme courts, did indeed send questions to the Sheikh of al-Azhar, as a representative of one of the most prestigious religious institutions in the Muslim world. The Sheikh then referred these questions to the Lajnah. For example, a question from a Kuwaiti municipality raised the issue of demolishing a mosque in order to build a road. The petitioner said that the scholars of Kuwait disagreed on this, so he decided to seek a decisive answer from the Sheikh of al-Azhar (Al-Azhar Magazine, 24/5). In another case, the Court of Appeals in Bahrain posed a question regarding a controversial case of inheritance. The judges in the case found the case ambiguous and asked for assistance from the Sheikh of al-Azhar (see al-Azhar Magazine, 26/8 and 13/4). Questions sent to al-Azhar scholars were common at that time as they were considered to be among the most learned scholars in the world (See Bano, 2015). It was not uncommon for scholars outside Egypt to write to Azhari scholars asking for answers to complicated questions. For instance, sheikh Muḥammad Bakhīt al-Muṭī'ī's book, entitled *al-Ajwiba al-Miṣriyya 'alā al-As'ila al-Tūnusiyya* (The Egyptian answers to Tunisian questions) provided responses to questions sent to him by Tunisian scholars (Al-Muṭī'ī 1906). In an article published in *al-Ahram* newspaper in 1954 on the function of the Lajnah, Sheikh Abū al-Wafā al-Marāghī, who had close relations with Sheikh Muṣṭafā al-Marāghī, justified the Lajnah's establishment by citing the increasing number of questions sent to the Sheikh of al-Azhar from around the Muslim world, and the Sheikh's inability to answer these questions because of his preoccupation with other issues. Abū al-Wafā believes that the Lajnah was established to serve as a link between al-Azhar and Muslims throughout the world, in addition to serving the needs of the Egyptian community (1954).

Although this argument sounds compelling, it does not negate the possibility of other reform motives laying behind the establishment of the Lajnah. Al-Marāghī was known for his efforts to reform al-Azhar. Al-Azhar had lost much of its status by the early 20th century. The Egyptian University (later known as Cairo University) was

established to teach the scientific disciplines. Dār al-ʿUlūm school was tasked with teaching Arabic and Islamic studies, and its graduates were offered teaching jobs in the public sector. Finally, Qaḍāʾ school was established to produce judges for the Islamic judiciary system. These developments led to a decline in the status of al-Azhar. Al-Azhar graduates not only lost their previous high-level status, but also lost much of their influence in the public life (see Heyworth-Dunne, 2019, Kalmbach 2020, Hatina 2010). Al-Marāghī attempted to restore al-Azhar's prestige by introducing modern subjects like foreign languages, mathematics, and scientific subjects and by providing administrative reform through the establishment of new institutions affiliated to al-Azhar. One of those endeavors was the establishment of the Lajnah to serve as a voice for al-Azhar, not only by answering Muslims' personal questions, but also by providing religious opinions on public issues. We can understand this endeavor as an attempt to bring al-Azhar back to the public realm. In one speech al-Marāghī says, "Al-Azhar has now awoken from its lengthy [slumber], and stands to be involved in the public life of the nation. Al-Azhar is determined to engage with it to yield mutual benefits." (Khafājī 1988, 1/270, see Brunner 2008). However, a question persists around why al-Marāghī established the Lajnah despite the prior existence of Dār al-Iftāʾ. In a 1954 article, Sheikh Abū al-Wafā al-Marāghī answers this question by describing the Lajnah as "popular" platform for all Muslim societies which complements the role of the Dār al-Iftāʾ, the "official" platform of the Egyptian state." (Al-Marāghī 1954). Later, I will address the extent to which the Lajnah differs from the 'official' Dār al-Iftāʾ.

As there is no written history of the Lajnah, I have developed the following tentative list of Lajnah chiefs by drawing on the signatures included on *fatwa* published in the al-Azhar Journal in addition to the biographies of al-Azhar scholars.

- 1935-1936: Al-Azhar Senior Scholars Council member sheikh Ḥusain Wālī (Al-Azhar Magazine, 13/2 and 19/414).
- 1936-1943: Deputy of the Sheikh of al-Azhar sheikh Muḥammad al-Faḥḥām (Al-Azhar Magazine, 14/243).
- 1943-1944: Sheikh of al-Azhar Muṣṭafā al-Marāghī (Al-Azhar Magazine, 14/6).
- 1944-1945: Al-Azhar Deputy Sheikh Muḥammad Maʾmūn al-Shinnāwī ("Al-Imām Muḥammad Maʾmūn al-Shinnāwī" accessed on 1st Feb 2016).
- 1945-1947: Al-Azhar Deputy ʿAbd Al-Raḥmān Ḥasan (Al-Marākibī, 2012).
- 1947-1950: Former *muftī* of Egypt sheikh ʿAbd al-Majīd Salīm (Al-Azhar Magazine vol.18/3).
- 1951-1954: Al-Azhar Senior Scholars Council member Sheikh Muḥammad ʿAbd al-Fattaḥ al-ʿAnānī (al-Ahram Newspaper 27-11-1951).
- 1954-1966: Former *muftī* of Egypt, sheikh Ḥasanīn Makhlūf (Al-Azhar Magazine 63/566).
- 1966-1969: Sheikh ʿAbd al-Laṭīf al-Subkī (Al-Azhar Magazine, 72/1800).
- 1972-1973: Muḥammad Muḥyī al-Dīn ʿAbd al-Ḥamīd (Al-Azhar Magazine, 56/86).

- 1973-1981: Muḥammad Sammūn (Al-Azhar Magazine, 63/455).
- 1981-1990: Sheikh ʿAbdullāh al-Mashadd (Al-Azhar Magazine, 63/455).
- 1990- 2006: Sheikh ʿAṭiyya Ṣaqr (Dhākirat al-Azhar, accessed on 28-4-2016).

Several prestigious scholars also served as Lajnah members, including ʿAbd al-Raḥmān Tāj and Maḥmūd Shaltūt – who served on the Lajnah and later became Sheikhs of al-Azhar – in addition to well-known scholars such as Muḥammad ʿAbdullāh Dirāz and ʿAbd al-Laṭīf al-Subkī, who were members of the Al-Azhar Senior Scholars Council (Khafājī 1988, 131).

In 1963, the Lajnah received 2,148 questions and responded to 2,000 of them. 35% of these questions were regarding inheritance, 30% regarding divorce, 15% regarding wet-nursing and lineage and 20% on other issues. At that time, the prominent scholar, Sheikh Ḥasanīn Makhlūf, was Lajnah head, and the Lajnah included four other Al-Azhar scholars (wizārat al-Awqāf, 1963, 356). This included Sheikh ʿAbd al-Laṭīf al-Subkī, who was a member of the Senior Scholars Council, and the head of the Ḥanbalī school of Islamic jurisprudence (madhhab) in Egypt (Al-Azhar Library Archive 27-10-1952 no. 94).

By comparison, the official state mufti, Sheikh Harīdī, was not a well-known scholar. He was not even a member of the Senior Scholars Council before it was abolished. He received 8,419 questionsduring his period as muftī from 1960 to 1970, equating to an average of 841 a year – less than half of that received by the Lajnah. Skovgaard-Petresen described Harīdī as a muftī in decline (Skovgaard-Petersen 1997, 194-195). Reverence for muftīs imbued the Lajnah with prominence, even if it was not the official fatwa body of the Egyptian state. A recent survey conducted by the Ṭāba institution suggested that respondents gave greater weight to the reputation of muftis rather than their official status. In a question on confidence levels around the validity of fatwas, 94.4% of the respondents said that a fatwa should come from a reputable, well-known muftī or fatwa institution, while 51% said they had confidence in fatwas that bore an official signature or stamp (Furber 2013, 4). This is not much different from the pre-modern period. In his study about Dār al-Iftāʾ in Egypt, ʿImād Hilāl writes about the Ottomans' decision to appoint an official muftī for the first time in Egypt. Sheikh Abū al-Surūr al-Bakrī was appointed as a muftī for Shāfiʿīs in 1006.A.H. (1589 by Gregorian calendar) and he was given the title of muftī al-salṭana al-sharīfa fī al-diyār al-miṣriyya, (the muftī of the honorable sultanate in the land of Egypt). (Hilāl 2013, 736) However, it seems that Egyptians did not prefer his fatwas because they did not believe him to be as well-versed in Islamic law as other sheikhs. Hence, people approached other scholars for fatwas like Sheikh Nūr al-Dīn al-Ziyādī, who became known as muftī al-sāda al-shāfiʿiya fī al-diyār al-miṣriyya, (the muftī of the Shāfiʿīs in the land of Egypt). This meant there were two simultaneous muftīs for Egypt; one was 'officially' appointed by

authorities, and the other 'popularly' appointed by the masses. People preferred the 'popular' *mufti,* saying that he was more knowledgeable (Ibid, 781). This suggests that officialdom is not the only factor in granting authority to *muftīs*. Ibn Taymiyya said that an official appointment does turn a non-scholar into a *mujtahid.* Ironically, he suggested that if knowledge of religion were linked to official positions, the sultan should be more competent to speak about religion and to be asked about *fatwas* than anyone else (al-ʿAwwā 2007; Ibn Taymiyya 1985, 27/163). I argue that, as the Lajnah had very prominent leaders and members, it was sometimes more popular than the official Dār al-Iftāʾ. But this does not mean that Dār al-Iftāʾ was completely marginalized. As elaborated above there are multiple factors which may affect the position of a *muftī* or a *fatwa* council. The knowledge of the scholars who were members of the Lajnah was an important factor, which sometimes elevated the Lajnah above the state *fatwa* council.

In 1990, Sheikh Jād al-Ḥaqq, the Sheikh of al-Azhar, abolished the four sub-committees based on the *madhhabs* (schools of Islamic jurisprudence) under the Lajnah, making the Lajnah *la madhhabiyya* (not following a specific juristic school) (al-Marākibī, 2012). Prior to this change, each sub-committee consisted of three members of one of the four schools of Islamic jurisprudence, except for the Ḥanbalī school, which had only two representatives (Khafājī 1988, 130). Later, the Lajnah became part of *Majmaʿ al-Buḥūth al-Islāmiyya* (Islamic Research Academy), and *muftīs* were chosen from among *wuʿāẓ* (preachers). It is noteworthy that *wāʿiẓ* are the lowest religious rank in al-Azhar's hierarchy. This decision was annulled in 2015 and *wuʿāẓ* working in the Lajnah were largely replaced byprofessors of the *Sharīʿah* Faculty at al-Azhar.

Institutionalization and Systematization of the *Fatwa* Council

Modernity aims to reduce the role of the individual in law-making and replace it with bureaucratic positions in order to achieve automatism. This shifts the state away from the rule of man to the rule of law, irrespective of the content of that law. The authority of the institution in the modern doctrine stems partially from its structure as an institution. The structure itself creates that imagined authority, regardless of the rulings or decisions laid down. Pierre Bourdieu refers to institutions as 'organized fiduciary.' For Bourdieu, "institutions are an organized fiduciary endowed with automatism … this fiduciary exists independently of the people who inhabit the institutions in question." It is this fiduciary that endows law with authenticity irrespective of its substance (Bourdieu 2014, Pierson 2011). In this section, I will address the extent to which the Lajnah confronted modern attempts at institutionalization.

The Lajnah is located in al-Madrasa al-Ṭaybarsiyya at the entrance of Bāb al-Muzayyinīn (lit. door of barbers) at al-Azhar Mosque. When one enters the Lajnah,

one can see a high-roofed tomb in the right corner. This tomb belongs to Amir 'Alā' al-Dīn Ṭaybars, the founder of the madrasa. The Madrasa also has a *miḥrāb* (niche) in the direction of Mecca (the *qibla*) and is decorated with Qurʾānic verses; the same as any other madrasa built in the Mamluk era. *Muftīs* sit on desks beside each other without barriers separating them. One *muftīs* can hear the others' *fatwas* if they are speaking loudly enough. When the Lajnah is busy with *mustaftīs*, it results in a sound like the buzzing of bees. Some *mustaftīs* who raise their voice out of eagerness or nervousness can distract other *muftīs*. On more than an occasion, the head of the Lajnah is forced to intervene to ask a *mustaftī* to lower his/her voice. The symbolism of the place of the Lajnah in the mosque draws attention to the simplicity of pre-modern *muftīs* who used to sit in the mosque and answer people's questions. *Sheikh al-Islām* in the Ottoman period, up until the time of Sultan Sulayman the Magnificent, used to receive fatwas in mosques (Heyd 1969, 35-56). It is said that a *Sheikh of al-Islām* used a basket, dropped from the balcony of his home, to receive questions from *mustaftī* and provide them with answers (Gerber 1994, 93). Sheikh Aḥmad al-Ḥaddad, the *muftī* of Ibb, Yemen, in the 1940s, described his task as: "for the mornings, we used to walk down in the valley, and if anyone came up to us with a matter, we used to answer him in any place he found us, in the street or any other place." (Messick 1993, 141). Although the Lajnah exists in this modern time, it echoes the simplicity of pre-modern *muftīs*.

People can access the Lajnah without needing to seek permission, as there are no gatekeepers. Sometimes, one will be surprised by dozens of tourists or visitors entering the Lajnah suddenly. The head of the Lajnah sometimes expresses frustration when this generates a disturbance in the Lajnah. People who enter the Lajnah sit on chairs at the entrance if the *muftīs* are busy answering other *mustaftīs*, and then approach the *muftīs* in order. The office boy of the Lajnah usually takes on the task of organizing this process. After spending some time in the Lajnah, I found that the office boy does not assign the *mustaftīs* to *muftīs* arbitrarily. For instance, if a petitioner appears psychologically unstable, he will ask that person to sit with a specific *muftī* who is more experienced with such cases. Some *mustaftīs* often prefer to choose a *muftī* wearing an Azhari 'imāma (turban) instead of those wearing suits. Others, particularly if they are young women or want to ask about sensitive issues, choose the oldest *muftīs*. People usually do not like *muftis* who appear to be young, and some are afraid of *muftīs* with long beards due to their association with extremism in some Egyptians' minds. In most cases, people who have visited a *mufti* usually seek out the same *muftī* in future visits due to the *muftī's* familiarly with their case.

The ease of accessing the Lajnah is an important feature that distinguishes it from other bureaucratized institutions. As the *muftī* of Ibb once said about his son's suggestion to install a gatekeeper: "a guard at the door leads inexorably to people

being denied access, and as a consequence, being denied justice" (Messick 1993, 175). In modern times, the complexity, extended time and high costs of court cases make producing *fatwas* (*iftā'*) an attractive alternative to arbitrate disputes. Even the pre-modern *Sheikh Al-Islam* office was bureaucratized in late Ottoman period: questions were firstly submitted by the *mustaftī* to a draftsman (*musevvid*), which would then be approved by *fetva emini*, then a *mubeyyiz* produced a copy to be submitted to the *Sheikh al-Islām*. Also, in contrast with the office of *Sheikh al-Islām* in the Ottoman Empire, which sometimes received a minimal fee for its *fatwas*, (Heyd 1969, 53) the Lajnah provides its services for free, even if the *mustaftī* asks for a written response. *Muftīs,* in some cases, do not hesitate to provide *mustaftīs* with their own personal phone numbers if there is a need for that, although questions by phone may be time-consuming and sometimes emerge at inconvenient times.

Muftīs consider face-to-face communication with *mustaftīs* as the most favorable *fatwa* method. Some *muftīs* complain that they are unable to explain what they want to convey effectively in written *fatwas* sent via the internet. In the Lajnah's online archive, some *mustaftīs* who ask questions regarding *shubuhāt* (misconceptions about Islam), and complicated divorce cases, are usually asked to visit the Lajnah in-person to discuss their issue with the *muftī*. Brinkley Messick rightly argues that "direct accessibility, based on a public presence that enabled personal encounters and personal solutions to problems, was a fundamental value of the old administrative system." (Messick 1993, 168). Face-to-face encounters (*muwājaha*) provide the *muftī* with opportunities to ask for further details that could be necessary for *fatwas*, to convince the *mustaftī* of the authenticity of the *muftī's* opinion, and to elaborate on any further enquiries based on the *fatwa*. Najah Nadi, in her study of Dār al-Iftā', sees a strong influence of the connection between the *muftī* and *mustaftī* in the process of issuing a *fatwa*. For her, the *mustaftī* not only receives a *fatwa* but is also part of the creation process of the *fatwa* through negotiation and discussion (Nadi, 2015, see Masud 2009).

Historically, the non-institutional nature of the Lanjah also appears in the conflicting *fatwas* given to *mustaftis* by different scholars. Answering *fatwas* is largely subject to the discretionary *ijtihād* or *madhhab* of the *muftī* and is not standardized. For example, a question was posed to the Lajnah about the ruling on saying *ṣalāh 'alā al-nabiyy* (peace be upon the Prophet) after *adhān* (the call to prayer), and about reciting Surah al-Kahf from the Qur'ān before *Jum'a* (Friday) prayer. Sheikh 'Abd al-Majīd Salīm, the head of the Lajnah at that time, argued that verbalizing the *ṣalāh 'alā al-nabiyy* after the *adhān* was not practiced at the time of the Prophet nor the time of the Companions and the *Salaf* (early Muslim community), and Muslims should not alter the practices set down at the time of the Prophet and the Companions. Regarding the recitation of Surah al-Kahf, which is common in mosques because many Muslims believe it to be a part of the rituals of Islam, he argued that this was

bidʿa (an unlawful innovation in religion) (Al-Azhar Magazine,19/838-839). Five years earlier, the same question was posed to sheikh al-Marāghī when he was the chief of the Lajnah and he answered in the same manner (Al-Azhar Magazine 14/9).

Another question was posed to the Lajnah about whether there was any additional religious value to be obtained during the middle night of the month of Shaʿbān, which some *hadiths* refer to as a night of blessings. Al-Marāghī replied that there was no proof that this night had any exceptional value, and all *hadiths* that claim it does are either week or fabricated. Al-Marāghī stated the *duʿāʾ* (supplication) on this night, known as the *duʿāʾ* of Shaʾbān, and celebrating the evening were not authentic practices in Islam. It is clear that both al-Marāghī and Salīm were following the Salafī school in this regard. Salīm was interested in Ibn Taymiyya's thought. The publisher's introduction to Ibn Taymiyya's *al-Fatāwa al-Miṣriyya* noted that Sheikh Salīm was very pleased to serve as editor for that edition of the book (Ibn Taymiyah, 1985). These *fatwas* were revolutionary in the broader context of A-Azhar's history. Al-Azhar scholars were known to adhere to the *sufi ṭuruq* for centuries, and these acts i.e. reciting Surah al-Kahf and saying *ṣalāh* out loud were part of the well-established practices of Sufism. In an article about al-Marāghī in 1956, Sheikh ʿAbd al-Jalīl ʿĪsā stated that no one in al-Azhar dared to oppose the consensus opinion of most al-Azhar scholars – they used to whisper these opinions only among themselves – otherwise, they could be accused of the most severe accusations of apostasy and infidelity levelled at one who rejects an established Sufi view. But when al-Marāghī arrived on the scene, he was able to loudly express opinions that people would be sued for expressing in the past (*Al-Ahram newspaper*, 24-4-1956).

On the other hand, Ḥasanīn Makhlūf, the chief of the Lajnah between (1954-1966), who came from a sufī background, did not share these opinions. He was student of the sufī sheikh Aḥmad Abū al-Wafā al-Sharqāwī (Al-Azhar magazine, 63/765). In response to a question about reciting verses from the Qurʾān at tombs for the benefit of the deceased, Makhlūf says that this was recommended. He even said that reciting Surah Yāsīn of the Qurʾān held particularly high value in this case (Al-Azhar Magazine, 70/414). Salafis harshly condemn such fatwas and consider the practice to be *bidʿa*. This diversity of opinions indicates the lack of institutionalization in the Lajnah, and that the opinion of the Lajnah largely depends on the approach of its leadership.

Lajnah, Modernity, and Secularism

In this section, I discuss the extent to which the Lajnah reflects the concerns of Muslims in their daily life. In other words, do the questions posed to the Lajnah cover all political, economic, ritual, and social issues that confront Muslims in Egypt? Or are there limits to the function of the Lajnah? This question is closely related to the secular and religious attributes of the Lajnah. Questions posed to the Lajnah

mainly originate from ordinary people. In rare cases, companies ask questions. However, in contemporary times, there are no signs that the Lajnah receives questions from outside Egypt. As mentioned above, one of the reasons cited for the establishment of the Lajnah was the large number of questions received by al-Azhar from Muslim governments and religious institutions abroad. The absence of such questions in modern times reflects either the deterioration of al-Azhar's status in the eyes of other countries, or the independence of each country's national religious institutions. There is also a clear absence of public inquiries. This suggests a deterioration of the function of *muftīs* with regard to the public sphere. Despite some claiming that *Iftā'* was always focused on individuals (al-Khatib 2014, 84) the Lajnah also handled public enquiries. Studies on the office of the *Sheikh Al-Islam* elaborate that the Sheikh historically received enquiries from the state about public issues (Heyd 1969, 54). The former *muftī* of Egypt, sheikh Jād al-Ḥaqq, said that Dār al-Iftā' commented on public developments as well as answering personal questions from petitioners (Skovgaard-Petersen 1997, 240).

As illustrated in the below pie chart on 100 online *istiftā'* (petitions), questions are fairly evenly divided between three branches of Islamic law – worship, transactions, and marriage. Questions about pilgrimage, prayer, fasting and charity fall under the worship category. Transactions encompasses trade, companies' deals, individual financial disputes, and questions related to banking and insurance. Marriage includes questions on engagements, divorce, disputes between spouses, and post-divorce conflicts. Other questions posed cover various issues, including *jinn* , magic, visions and educational and theological matters and misconceptions. These figures do not differ greatly from those collected in 1963. However, questions related to wet-nursing are less common in the contemporary era as the practice, once common, has been largely abandoned by Egyptian society. The figures for the Lajnah also seem to be more diverse than those in a similar study of Dār al-Iftā', where around two thirds of the questions posed to that body were concerning divorce.

The questions posed to the Lajnah during my fieldwork did not differ greatly from those appearing on the Lajnah website. However, there were fewer less important questions raised in the Lajnah compared to its online archive. People would not suffer travelling to the Lajnah in person to ask a less serious question, when they can ask a local imam. The most common questions I observed in the field were around divorce, the status of bank interest and loans as *ribā* (usury), and questions on inheritance.

People appear to trust *muftīs* more than judges. The age-old question about whether *muftīs* or *qadis* (judges) are the true representatives of Islamic law, seems to have faded into irrelevance in contemporary times. *Muftīs* were usually seen superior to judges in their ability to interpret Islamic law. Turkish judges were

occasionally denigrated by indigenous *muftīs* in Ottoman provisional districts (Gerber 1997, 85-86). Ibn Iyās, the Egyptian historian, once described a Turkish judge, who replaced an Egyptian one as "having little knowledge, more ignorant than donkey, and knowing nothing of Islamic rulings. Some *fatwas* were posed to him, but he could not answer any of them" (1961, 5/467). Haim Gerber attributes this harsh judgment to the fact that Turks were part of the imperial elite while Egyptian scholars received their education in a different madrasa system. The image of contemporary judges is roughly the same in the eyes of *muftīs*. When I asked a *muftī* about the reasons that may lead judges to consult the Lajnah, even though they were themselves trained in *sharīʿa*, he answered: "they are ignorant. They know nothing." If the difference between Turkish and Egyptian madrasas in the past led to the belittling of Turkish judges in Egypt, the striking contrast between traditional *sharīʿah* education and positive law education system leads *muftīs* to view modern judges as being incapable of answering *sharīʿah* questions.

What about political questions brought before the Lajnah? Hussein Agrama, in his book *Questioning Secularism*, discusses how *sharīʿah* is practiced in everyday life under secular rule. He draws a comparison between Islamic courts and the Lajnah at al-Azhar. He outlines that the courts are concerned with keeping their trials confidential, which he attributes to liberal sensibilities, while the Lajnah is quite open, even regarding sensitive marital issues. Also, whereas the courts treat claims with great suspicion, people's claims are mostly taken as a given in the Lajnah. As a result of this distinction and others, Agrama concludes that the Lajnah is an asecular venue where the question of secularism is irrelevant. It is neither secular nor opposed to secularism (2012).

I argue that Agrama's claim about the lack of suspicion of claims in the Lajnah should not be taken for granted. It is true that the function of the *muftīs* differs from judges, and therefore, they are not required to investigate the authenticity of the *mustaftī's* claims. However, *muftīs* still feel occasionally obliged to ensure the validity of people's claims. Some *muftīs* for example have copies of the Qurʾān, which they use for truth-swearing purposes, particularly in the divorce cases. For example, one *muftī* asked the *mustaftī* in a case regarding *ṭalāq muʿallaq* (conditional divorce) to swear on the Qurʾān that he did not mean to divorce his wife, but just issued it as a means discouraging her from doing something with which he disagreed. Another man came to the *muftī* and told him that he divorced his wife, then reinstated the marriage, then divorced her again, but he did not remember if he reinstated the marriage again or not. Later, his wife sued him for *khulʿ*. He said that he was not informed of the case. The judge ruled in favor of the wife without his knowledge. The *muftī* asked him how the judge could have reached a decision in the case without his acknowledgement. The man maintained that he had indeed been unaware. The *muftī* did not believe his claim and refused to issue

a *fatwa* until he brought his wife to see the *muftī*, so he could hear her side of the story. After he left, the *muftī* told me, "His claim is contradictory. The judge cannot rule in this case without his knowledge because he should attempt to reconcile the spouses first. Let us see what his wife will say." In a *fatwa* about inheritance, the *mustaftī* told the *muftī* about specific relatives of a deceased person and asked for his *fatwa* to be answered officially in writing. The Lajnah can issue this type of written response in inheritance cases only, otherwise responses are provided orally or via the internet. The *muftī* wrote down a response and asked the other *muftīs* to sign it. After a few minutes, the *muftīs* were asked to sign another copy. It is said that the chief of the Lajnah had investigated the *mustaftī* and discovered that he had concealed information about the deceased's surviving relatives, so they amended the question and re-wrote the *fatwa*.

During my fieldwork I discovered several examples which underscore the secular infiltration of the Lajnah. For example, a Syrian man told the *muftī* that he wanted to fight with the [Free] Syrian Army, but his father told him he should not go to kill his brothers there. The *muftī* provided a confused response. He first said that he had to obey his father. The man then asked different questions. In the end, the *muftī* told him that he had to do what he believed was right. After he left, the *muftī* regretted his answer and said, "I should not have provided an answer to him. This was a political question", he said. It was clear to me that he wanted to tell him to go to fight, but he could not say it. I told him that the man had been holding the flag of Syrian President Bashar al-Asad. The *muftī* was shocked and asked me why I had not informed him, so he could have rebuked him. In another case, a Sudanese *mustaftī* started to ask about Islamic rule in a particular country but the *muftī* interrupted him and said "What is your business with that. You came here to ask about religion". The man said his enquiry was related to religion. The *muftī* replied, "If you want to implement religion, implement it for yourself. Forget about why they do not apply jizya (taxes paid by non-Muslims) for instance. Focus on your relationship with your God and implement religion for yourself first of all." The man smiled and said that it seemed the *muftī* was upset with his question. The *muftī* said "No, but if you have other questions that you can benefit from, please ask them." These are clear and simple examples how secularism penetrates the Lajnah. *Muftīs* do not think it is their role to answer questions about rulings on the state and Islam. People should rather work on improving their personal religious outlook. However, this should also be understood in the context of the 2013 events in Egypt and the state of emergency that is still in place. As a result, most people are afraid to discuss politics under the rule of an authoritarian regime. It should be noted that relations between al-Azhar and the government have been tense. Al-Azhar, as an institution affiliated with the government, has long legitimized some government policies against claims by opposition Islamists. However, this does not mean that al-Azhar itself has not attempted to promote the implementation of *sharīʿah*. Al-

Azhar promoted various drafts and bills seeking to codify an Islamic constitution for the state in 1970s (Zeghal 1999, 387).

Also, there is a general practice in the Lajnah that *muftīs* do not answer questions about sorcery and night visions (*ru'ya*). It is noteworthy that those questions are among the most common brought before the Lajnah. In some cases, the *muftī* gives the *mustaftī* a paper which contains some verses and recitations to read. Other *muftīs* refuse to discuss the matter with the petitioner. One young woman complained that whenever she got engaged, her engagement would be annulled. She believed that this could be a result of black magic. The *muftī* replied "We do not have magic, imposters, and that nonsense here." Another woman came to complain that her three-year grandson saw baby ghosts in their home, and he could communicate with them. She also claimed that the child had foreknowledge of future events. The *muftī* asked her to read Qur'ān. The woman said she had already done that. She attempted to convince the *muftī* of the seriousness of her claim, but in vain. He reasserted that no one can predict the future. He finally was fed up and asked her to take her son to a psychologist. The woman left the Lajnah saying that he would never understand her. In other cases, a *muftī* would answer that "magic is in your imagination, it is not real". Another said, "there is magic, but jinn cannot take over a human body." Some *muftīs* refuse to answer these questions because it is the tradition of the Lajnah, while others believe that permitting these questions will open the floodgates for more of these questions to be posed. It appears that there is a well-established tradition in the Lajnah of not answering these questions and *muftīs* attempt to explain this trend in their own way. However, this does not negate the fact that there is an apparent aversion to dealing with questions related to magic, at least among some *muftīs*. This aversion is closely related to the impact of modernization and the rationalization of religion. Modern people cannot address magic seriously as it contradicts their self-depiction as rational beings. These matters have always been related to 'backward' societies, when humans were still ignorant and naïve, and are not relevant for most people in the contemporary era. Muhammad Abduh perhaps was the first to claim that *jinn*, for example, were nothing but germs.

This is not to suggest that the Lajnah is totally modern and secular. This paper has just focused on what may be considered strange to the traditional scholars of the Lajnah. This focus may make some aspects of the Lajnah more apparent to the reader than others. More importantly, it was obvious that the *muftīs* were discouraged, if not terrified, by state repression at that time. Egypt post-2013 was in a state of emergency, where people were easily imprisoned based on fabricated allegations of membership of the Muslim Brotherhood. The *muftīs* were always afraid that the *mustaftī* was a journalist or even an undercover police officer who wished to vilify the Lajnah and expose anti-state fatwas. As Skovgaard-Petersen

once wrote, people do not only criticize the official *muftīs*, but sometimes feel sympathetic with them for the immense state pressure to which they are subjected (2004, 95). To provide a more complete image more for the reader, I would like to emphasize that the Lajnah has a strong traditional streak. It is more traditional than Dār al-Iftā' for example. As a *mufti* once said, "I cannot issue a fatwa unless at least one of the imams (traditional scholars) has the same opinion."

Officialdom of the Lajnah

Contrasting with the above image of the Lajnah, which sees it as having been infiltrated by the modern views to some extent, this section will argue that the Lajnah has remained critical of various policies of the modern state. Before the emergence of the official *iftā', muftīs* were known to be eligible for *iftā'* by different criteria. One of the most common methods was for well-known sheikhs to testify that a person held competency for *iftā'*. The rulers had a limiter authority and power to influence *iftā'*. Al-Qarāfī held the opinion that *ijtihād* cannot be abolished by anyone, even if he is the caliph, unless it contradicts unequivocal text in the Qur'ān, the scholarly consensus, clear-cut analogies, or general axioms. However, administrative decisions may be abolished by more senior officials (Al-Qarāfī 1995, 88). There have been even instances where scholars have defied rulers' decisions, even if they do not directly challenge formal Islamic law (al-Marakeby, 2021). Classical literature on Islamic law does not state that a sultan should assign an official *muftī*. However, it is true that scholars say a sultan should prevent the emergence of incompetent *muftīs* (Ibn Nujaim, n.d., 6/291), or *mājin* (non-righteous) *muftīs* who tamper with rulings to permit what is prohibited (Ibn ʿĀbidīn,1992, 6/147).

Historically, there were numerous attempts by the pre-modern states to control the production of *fatwa*. In his book, Guy Burak argues that the Ottoman Empire intervened in Islamic law outside the scope of *siyāsa* (lit. politics). This intervention was represented by the official use of the Ḥanafī *madhhab* throughout the whole empire. In one *firmān* (decree), the sultan prevented non-official *muftīs* from issuing *fatwas* – although there is no proof that this decree was actually implemented (Burak 2015, 22). Moreover, the empire promoted a particular juristic sub-school in the Ḥanafī *madhhab* for the sake of "imperial interests" (Burak 2015, 161). Rudolph Peters says that "the sultan, prompted no doubt by leading jurists, would introduce a change in the legal system by enforcing a change that was regarded as weak or without authority". He gives the example of preventing women from getting married without the prior consent of her matrimonial guardian. Although Abū Ḥanīfa, in contrast to Abū Yūsuf and Muḥammad al-Shaybānī, sees that this marriage is valid(Peters 2005, 152-153). Similarly, Skovgaard-Petersen claims the Dār al-Iftā''s establishment was motivated by the modern state's wish to control everything including religion (1997, 103). Does the Lanjnah represent a similar official institution? The Lajnah is indeed an official fatwa council in the sense that its

fatwas are recognized by other state institutions. In 1940, Sheikh Muḥammad al-Madanī, writing in in *al-Risāla* magazine, described the Lajnah as a reputable *fatwa* body with an official status (*al-Risāla* magazine, 17-6-1940). It is noteworthy that some questions posed to the Lajnah were not used for personal *istiftā*ʾ, but were requested by the *mustaftī* to strengthen their case before the judiciary. This was a very common practice in the past (Gerber 1994, 80; Powers 1994). As the Lajnah is an official *fatwa* council, its *fatwas* are considered by the judiciary, although there is no clear proof that *fatwas* of the Lajnah are always followed by judges. The Lajnah receives a few official questions from Egyptian courts about rulings on marital issues like divorce and inheritance. The relationship between *iftā*ʾ and the judiciary has always been a source of discussion in the literature on Islamic law. My observation challenges Skovgaard-Petersen's claims that courts do not consult *muftīs* except in the cases of executions after the law amendments of 1931 (1997, 105). However, it is true that the importance of *fatwa* for the courts has dramatically declined in the contemporary era as *sharīʿah* is no longer applied except in marital status laws.

In 1951, a question was posed to the Lajnah about someone who provided supplies to British occupation forces. After the Lajnah summoned with its chief, Sheikh Muḥammad ʿAbd al-Fattaḥ al-ʿAnānī, they issued a ruling that the person who provided the supplies should be killed. The *fatwa* stunned the Egyptian authorities and Sheikh of al-Azhar, who denied that the Lajnah has issued the *fatwa*. However, the journalist from *al-Ahram* who first published the news confirmed the authenticity of the *fatwa* and said that the *fatwa* was provided to him in writing (Al-Ahram Newspaper 27-11-1951). Another *fatwa* issued by the Lajnah dealt with the issue of a communist marrying a Muslim woman. The petitioner claimed that the communist had a Muslim name and was from a Muslim family. The Lajnah replied that the marriage was not permitted because communism is a materialist school of thought that denies the existence of God. Therefore, the communist is an apostate and cannot marry a Muslim woman. The Sheikh of al-Azhar again issued a statement in another newspaper saying that this *fatwa* was not issued by the Lajnah. From here we can see that the Lajnah issued *fatwas* that put the political leadership of the state and/or al-Azhar in difficult positions, prompting quick denunciations from the Sheikh of al-Azhar.

In the contemporary era, *fatwa* No. 218 in the Lajnah's online archive declares that female circumcision is recommended, directly contradicting government programs advocating against female circumcision. It is noteworthy that Dār al-Iftāʾ sees circumcising girls as a non-Islamic practice. The Lajnah also states that various conventional bank transactions are prohibited, including loans, holding an account with interest, and mortgages. Also, the Lajnah has declared that many insurance certificates are prohibited. It is noteworthy that Dār al-Iftāʾ sees all of those transactions as generally being lawful. After issuing these *fatwas* which contradict the state's, one government-affiliated newspaper published an article

under the title, "the Lajnah is contradicting the enlightened opinions of the senior scholars from al-Azhar and Dār al-Iftāʾ'" (Ahmad Manṣūr, 19-3-2016). Another proclaimed, "the Lajnah's prohibition on banks and investment certificates threatens the Egyptian economy" (Luʾay ʿAli, 2016). It seems that that the Lajnah does not face the same level of sensitivity that the state *muftī* confronts when they have to choose between the demands of the ruler and the rulings of *sharīʿah*. On the one hand, these *muftis* were part of the government and on the other they were representatives of *sharīʿah*. Sheikh Abū al-Wafā al-Marāghī in a 1954 article describes the Lajnah as a popular platform "for all Muslims, which complements the role of Dār al-Iftāʾ, the 'official platform' of the Egyptian state." (16-2-1954). Indeed, one cannot equate the Lajnah to the 'popular *fatwa*' in the pre- Ottoman era, but it is important to note that there is a difference between the Lajnah and Dār al-Iftāʾ.

Skovgaard-Petersen refers to the state fatwa as "a fatwa given by a mufti who has been appointed as the official *mufti* of the state." (2015, 283). He suggests that state *muftīs* may provide legitimacy for the state polices such as family planning, for example. (ibid, 283). In another study, he draws our attention to the development of the official *mufti's* authority and power. Instead of heading up religious schools, overseeing *waqfs*, and directly engaging with the political administration of the state – as was the case for the Ottoman *Sheikh al-Islām* – the role of the modern official *muftī* has been limited to issuing *fatwas*. Nevertheless, these *muftis* found a new platform in the media to address the masses and influence the state. This role enabled *muftīs* to restore some of their public functions that had been curtailed by the nation-state (Skovgaard-Petersen 2004, 2005). This conclusion echoes other studies that emphasize that the state has recalled *muftis* to public life in order to defend it against the threat of Islamism. Even though the return of *muftis* to the public sphere has also adversely impacted state policies and made it prone to their criticism on some issues. (Moustafa 2000, Zeghal 1999). However, this study shows a different scenario. It is not the public sphere or media that *muftīs* have used to "defend faith". Rather, they took great care to keep their *fatwas* as confidential as possible to avoid any clash with the state. They followed a grassroots approach to conceive what they believe to be the true rulings of Islamic law. The key difference between my conclusion and that of former studies is related to the rank of the scholar I am studying. I am not analyzing the official announcements of the Grand *Muftī* nor the Sheikh of al-Azhar. Rather, I am studying the daily engagement of lower ranked scholars, or what Zeghal calls peripheral scholars[1], with the masses. This outcome calls into question also the claim that al-Azhar has lost much of its

---

1 "Peripheral Azharite ʿulama are graduates from al-Azhar who may still belong to the institution and can retain some relationship with it, but who also show an important distance vis-aʿ -vis the official head and doctrinal positions produced by al- Azhar in its partnership with the Egyptian state" (Zeghal 2007, 125).

prestige and is suffering from a crisis of legitimacy following its support for al-Sisi in 2013 (Bano, 2018, 2019). I do not take this position because I believe that al-Azhar's position in 2013 did not affect its legitimacy in the eyes of Egyptians. Rather, I believe the relationship between al-Azhar and the state, especially on a day-to-day level, is more diverse and complicated than those major political events would suggest. Furthermore, scholars are too diverse to be reduced to the views of a singular figure or council. Zeghal rightly describes al-Azhar as, "an institution made of religious elites as well as ordinary scholars, teachers, and students, this representation misses the internal diversity and complexity of the institution on the social, economic, political, and ideological levels." (2007, 114).

Conclusion

This study shows how the presupposed typology of *fatwa* can be misleading. Al-Azhar's Fatwa Council, the Lajnah, does not seem to fit perfectly with the classification of official/non-official, modern/traditional, and reformist/conservative. This kind of categorization can obscure rather than explain the nature of the Lajnah. On the one hand, its *fatwas* are recognized by state institutions and courts as official; it toes the line on government policies discouraging political questions or debate; and it is influenced by the rational approach of modernity with regard to questions on *jinn* and sorcery. On the other hand, it challenges the nation-state's public policies on issues like bank interests, female circumcision, and mortgages; it lacks systematization that characterizes the modern institutions; and at least some of its members refuse to issue *fatwas* contradicting the established opinions of the four *madhhabs*. Many of those *fatwas* stand at odds with the views of Dār al-Iftāʾ, 'The' official fatwa institution in Egypt, which is more inclined to serve the national interests and programs of the government. Moreover, this conclusion encourages us to rethink the alleged post-2013 submissive attitude of al-Azhar. The grassroots approach adopted in this paper, which studies the lower ranks scholars and the masses, depicts a more complicated, entangled, and negotiable relationship between al-Azhar and the state.

Bibliography

Al-Ahram Newspaper

Al-Azhar Magazine

Al-Risāla Magazine

Al-Azhar Library Archive

Agrama, H. A. (2012). *Questioning Secularism: Islam, Sovereignty, and the Rule of Law in Modern Egypt*. University of Chicago Press.

Al-ʿAwwā, M. S. (2007). Madā Jawāz Ḥaṣr al-Iftāʾ fī Jihatin Muʿyyana fī Kull Dawla. In *al-Iftāʾ fī ʿĀlam Mutaghayyir*. Al-Markaz al-ʿAlamī li-l-Wasaṭiyya.

Al-Khatib, M. (2014). Al-Faqīh wa-l-Dawla fī al-Thawarāt al-ʿArabiyyah: Muʿḍilat al-Faqīh fī Ẓill al-Dawala al-Waṭaniyya al-Ḥadītha. *Tabayyun li-l-Dirāsāt al-Fikriyya wa-l-Thaqāfiyya* (9), 63-84.

AlMarakeby, M. (2016). *The Impact of Social Norms on FatwaMaking: An Ethnographic Study at AlAzhar's Fatwa Council*. MA Diss., Qatar Faculty of Islamic Studies.

Al-Marakeby, M. (2021). Could Women Own Agricultural Land? Rethinking the Relationship of Islamic Law and Contextual Reality (Wāqiʿ). *Die Welt des Islams,* 1(aop), 1-29.

Al-Murādī, M. (1988). *ʿArf al-Bashām fī man Waliya Fatwā Dimashq al-Shām*. Dār Ibn Kathīr.

Al-Muṭīʿī, M. B. (1906). *Al-Ajwiba al-Miṣriyya ʿalā al-Asʾila al-Tūnusiya*. Maṭbaʿat al-Nīl.

Al-Qarāfī, S. (1995). *Al-Iḥkām*. Dār al-Bashāʾir al-Islāmiyya.

Bano, M. (Ed.). (2015). *Shaping Global Islamic Discourses: The Role of Al-Azhar, Al-Madinah and Al-Mustafa*. Edinburgh University Press.

Bano, M. (Ed.). (2018). *Modern Islamic Authority and Social Change: Evolving Debates in Muslim Majority Countries*. Edinburgh University Press.

Bano, M., & Benadi, H. (2019). Official al-Azhar versus al-Azhar Imagined: The Arab Spring and the Revival of Religious Imagination. *Die Welt des Islams,* 59(1), 7-32.

Bourdieu, P. (2014). *On the State: Lectures at the Collège de France, 1989-1992,* ed. Patrick Champagne, Remi Lenoir, Franck Poupeau and Marie-Christine Rivière, trans. David Fernbach. Polity.

Burak, G. (2015). *The Second Formation of Islamic Law: The Hanafi School in the Early Modern OttomanEmpire*. Cambridge University Press.

Furber, M. (2013). *Elements of a Fatwa and Their Contribution to Confidence in Its Validity*. Tabah Foundation.

Gerber, H. (1994). *State, Society, and Law in Islam: Ottoman Law in Comparative Perspective.* State University of New York Press.

Halevi, L. (2019). *Modern Things on Trial: Islam's Global and Material Reformation in the Age of Rida, 1865–1935.* Columbia University Press.

Hatina, M. (2010). *'Ulama', Politics, and the Public Sphere: An Egyptian Perspective.* University of Utah Press.

Heyd, U. (1969). Some Aspects of the Ottoman Fetvā. *Bulletin of the School of Oriental and African Studies,* (32), 35-56.

Heyd, U. (1973). *Studies in Old Ottoman Criminal Law.* Clarendon Press.

Heyworth-Dunne, J. (2019). *An Introduction to the History of Education in Modern Egpyt.* Routledge.

Hilāl, ʿI. (2013). *Al-Iftāʾ al-Miṣrī min al-Ṣaḥābī ʿUqba ibn ʿĀmir ilā al-Doctūr ʿAlī Jumʿa.* Dār al-Kutub wa-l-Wathāʾiq al-Qawmiyya.

Ibn ʿĀbidīn, M. A. (1992). *Radd al-Muḥtār ʿalā al-Durr al-Mukhtār.* Dār al-Fikr.

Ibn Iyās, M. (1961). *Badāʾiʿ al-Zuhūr fī Waqāʾiʿ sl-Duhūr.* Cairo: ʿIsā al-Ḥalabī.

Ibn Nujaim, Z. (n.d.). *Al-Baḥr al-Rāʾiq Sharḥ Kanz al-Daqāʾiq.* Dār al-Kitāb al-Islamī.

Ibn Taymiyya, A. (1985). *Mukhtaṣar al-Fatāwā al-Miṣriyya.* Dār al-Kutub al-ʿIlmiyya.

Imber, C. Eleven Fetvas of the Ottoman Sheikh al-Islam ʿAbdurrahim. In Muhammad Khaled Masud, Brinkley Messick, and David Powers (Eds.), *Islamic Legal Interpretation: Muftis and Their Fatwas.* Harvard university press, 1996.

Kalmbach, H. (2020). *Islamic Knowledge and the Making of Modern Egypt.* Cambridge University Press.

Khafājī, M. (1988). *Al-Azhar Khilāl Alf ʿĀm.* ʿĀlam al-Kutub.

Koca, F. (2003). "Fatwakhana: A Division of the Ottoman State's Office of the Shaykh Al-Islam." *Ekev Akademi Dergisi* (16), 153-170.

Masud, M. K. (2009). The Significance of Istiftaʾ in the Fatwa Discourse. *Islamic Studies* 48 (3) 341-366.

Messick, B. (1993). *The Calligraphic State: Textual Domination and History in a Muslim Society.* University of California.

Ministry of Endowment. (1964). *Al-Azhar Tarīkhuh wa-Taṭawwuruh.* No publisher.

Moustafa, T. (2000). Conflict and Cooperation between the State and Religious Institutions in Contemporary Egypt. *International Journal of Middle East Studies,* 32(1), 3-22.

Nadi, N. (2013). The Interconnection of Legal and Social Norms in the Practice of Fatwa-Giving: A Study Based on Fieldwork at Dār Al-Iftāʾ. MA Thesis. Boston University.

Peters, R. (2005). What Does it Mean to be an Official Madhhab: Hanafism and the Ottoman Empire. In P. Bearman, R. Peters, F. Vogel (Eds.), *The Islamic School of Law: Evolution, Devolution, and Progress.* Harvard University Press.

Pierson, C. (2011). *The Modern State.* Routledge.

Powers, D. (1994). Kadijustiz or Qāḍī-Justice? A Paternity Dispute from Fourteenth-Century Morocco. *Islamic Law and Society,* 1, (3), 332-366.

Skovgaard-Petersen, J. (1997). *Defining Islam for the Egyptian State: Muftis and Fatwas of the Dār Al-Iftā'.* Brill.

Skovgaard-Petersen, J. (2004). A Typology of State Muftis. In Y. Yazbeck Haddad & B. Freyer Stowasser (Eds.), *Islamic Law and the Challenges of Modernity.* Altamira Press.

Skovgaard-Petersen, J. (2005). Levantine state muftis: An Ottoman legacy?. *In Late Ottoman Society* (pp. 296-310). Routledge.

Skovgaard-Petersen, J. (2015). A typology of fatwas. *Die Welt des Islams,* 55(3-4), 278-285.

Zeghal, M. (1999). Religion and Politics in Egypt: The Ulema of al-Azhar, Radical Islam, and the State (1952–94). *International Journal of Middle East Studies,* 31(3), 371-399.

Zeghal, M. (2007). The 'Recentering' of Religious Knowledge and Discourse: The Case of al-Azhar in Twentieth-century Egypt. In Robert Hefner and Muhammad Qasim Zaman (Eds.), *Schooling Islam: The Culture and Politics of Modern Muslim Education.* Princeton University Press.

Online References:

Al-Azhar ḍida al-Azhar accessed on 19-3-2016

Dhākirat al-Azhar: ʿAṭiyah Ṣaqr. accessed on 28-4-2016

Fatwa no. 6615 in the online archive of the Lajnah. Accessed on 12-3-2016

Ikhtilāf Al-Faāwa accessed on 9-3-2016

Al-Imām Muḥammad Maʾmūn Al-Shinnāwiī" accessed on 1th Feb 2016

Al-Marākibī, ʿAbd al-Raḥmān. Ḥiwār Ḥawl Lajnat Al-Fatwā bi Al-Azhar Al-Sharīf" accessed 12th Dec. 2015