

The Internet and the Construction of Islamic Knowledge in Europe



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Fiqh – The Islamic jurisprudence

Fatwa – Legal opinion or advice

Mufti – The authority entitled to issue fatwas

Construction of Islamic Knowledge in Cyberspace

Islam Online

URL: www.islamonline.net

Operates from: Cairo, Egypt

Registered: Doha, Qatar

Mufti(s): Yusuf al-Qaradawi, European Council for Fatwa and Research, Fiqh Council of North America, al-Azhar graduates, etc.



Fatwa Bank

Details of Fatwa

Title of Fatwa: **Having a Second Wife in Western Countries**
Date of Reply: 08/May/2005
Topic Of Fatwa: Polygamy

It is known that polygamy—more correctly, polygyny—is allowed in Islam. I would like to know the point of view of Islam if a Muslim living in a Western country, where polygamy is regarded unlawful, has to have a second wife due to some reasons.

In the Name of Allah, Most Gracious, Most Merciful. All praise and thanks are due to Allah, and peace and blessings be upon His Messenger.

Dear questioner! Thank you for your question and the confidence you place in our service and we pray to Allah to enable us render this service purely for His Sake. Islam is a way of life consonant with nature, providing human solutions to complex situations and avoiding extremes.

Fatwa Bank

Details of Fatwa

The prominent Muslim scholar, **Sheikh Ahmad Hulail**, imam of Tariq ibn Ziad Mosque in Frankfurt, Germany, states:

The Muslim who has a second wife has to follow the channels of law in order to legalize his second marriage in the country he lives in.

There are some Muslim brothers who did so through the legitimate channels. They submitted documents to the European countries they reside in to the effect that they have second wives according to the Islamic Law and that the first wife agrees to that.

If the attempts to legalize the second marriage fail, the person could document his (second) marriage in one of the Islamic centers, yet, his marriage then would not be regarded legitimate under the law of the country concerned.

There are some flexible European laws concerning registering names of the children born even from illegitimate relationships.

Fatwa Bank
Details of Fatwa

The prominent Muslim scholar **Dr. Jamal Badawi**, professor at Saint Mary's University in Halifax, Nova Scotia, Canada and member of the Fiqh Council of North America, adds:

A Muslim living in a non-Muslim society is obligated to follow the laws. We cannot say that their laws are contrary to the Shari'ah, so we have to follow the Shari'ah. Taking a second wife is not a necessary requirement; there is no mandatory duty on the Muslim to have a second wife.

If a person has become a resident or a citizen in a European country, it is a condition for him to abide by its laws. When a Muslim man in a European country sticks to not having a second wife, it is like giving up a particular right according to his own Shari'ah.

Allah Almighty knows best.

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Fatwa Online

URL: www.fatwa-online.com

Operates from: Saudi Arabia

Registered: Medina, Saudi Arabia

Mufti(s): Saudi Arabian Permanent Committee for Research and Fatawa



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Divorce procedures in non-Muslim countries

Question: If a man living within a Muslim minority community in a non-Muslim country wants to divorce his wife, should he follow the divorce procedures of that country, which controls and enforces its own law or should he follow divorce proceedings laid down by Islamic law?

Response: It is not permissible for a Muslim to follow, either in his worship or in his dealings with others, other than what is laid down in Islamic law. **It is not permitted for the Muslims to request a legal decision from anyone who does not judge according to the Book of Allaah and the Sunnah of His Messenger (sal-Allaahu `alayhe wa sallam).**

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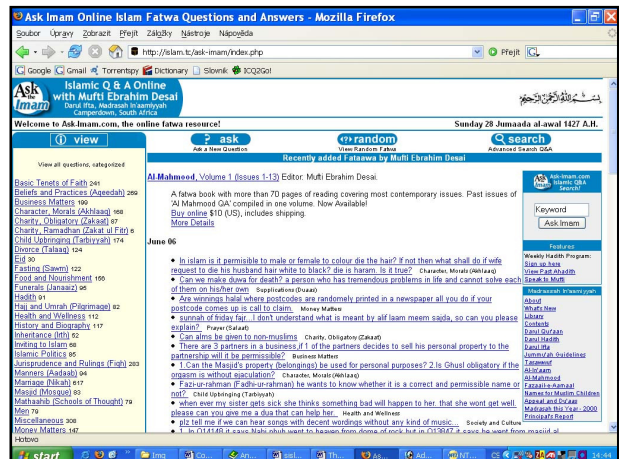
Ask the Imam

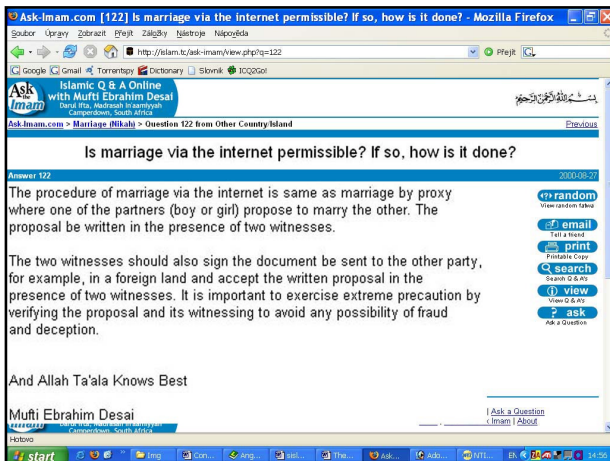
URL: www.ask-imam.com

Operates from: Campertown, South Africa

Registered: El Segundo, California, US

Mufti: Ebrahim Desai





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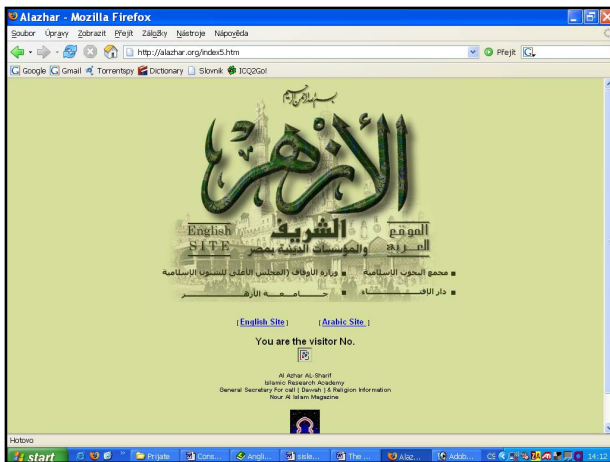
Al-Azhar

URL: www.alazhar.org

Operates from: Cairo, Egypt

Registered: Cairo, Egypt

Mufti(s): -



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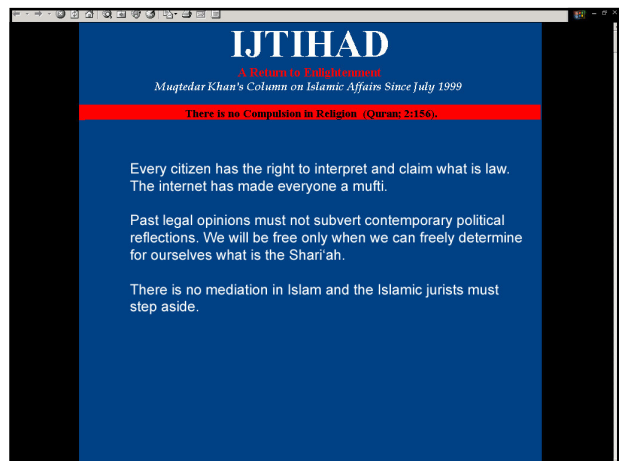
Ijtihad

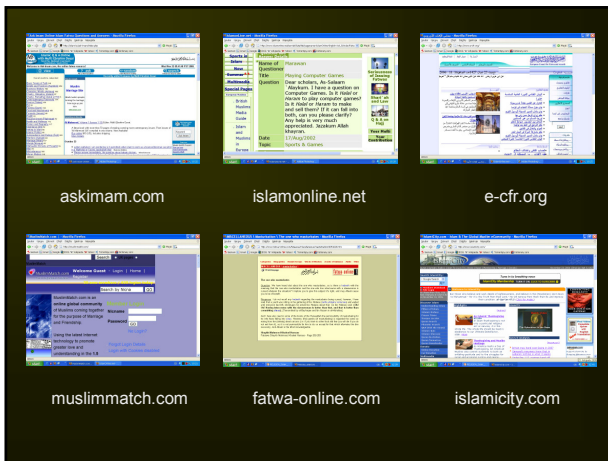
URL: www.ijtihad.org

Operates from: Falls Church, US

Registered: Newark, US

Author: Muqtedar Khan



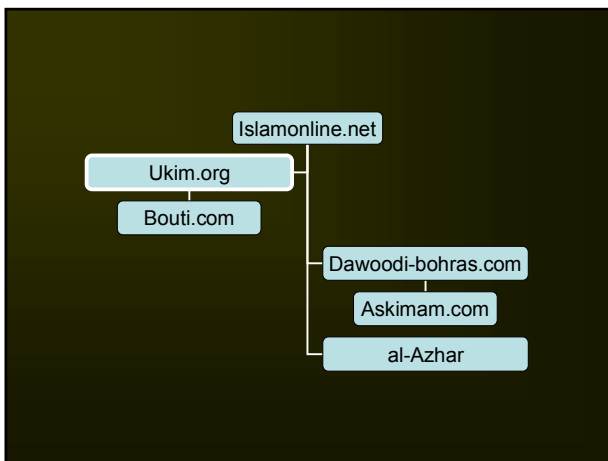


What is the role and impact, if any, of the Internet based muftis and online fatwas?



"The Internet has made everyone a mufti."

Muqtedar Khan
ijtihad.org



Transnationalism

- Transnational public sphere
- Essentialism and homogenisation of Islam
- Global Islamic identity

Authority

- ❑ Individualisation and privatisation of Islam
- ❑ Minority opinion and marginalized groups
- ❑ European Islamic authority for Muslim world

Discourse

- ❑ Shift to popular discourse
- ❑ English as the interpretative language
- ❑ Anonymity of questions

Fatwa Bank

Details of Fatwa

Title of Fatwa: **My Husband Does Not Satisfy Me in Bed: Can I Masturbate?**
Date of Reply: 11/Jan/2003
Topic Of Fatwa: Masturbation, Intimate relations

I am a married woman. If my husband does not satisfy me in bed, is it permissible in Islam for me to masturbate and satisfy myself?

He says he is satisfied and does not want to go to a doctor. I have given up hope that he will ever accept the fact that he has got a problem, so I have found a solution to this by masturbating because I am very disturbed and in sexual need all the time.

I know Islam does not allow masturbation, but what is the solution to my problem? At least I am not committing adultery.

Answering your question, **Sheikh Ahmad Kutty**, a senior lecturer and Islamic scholar at the Islamic Institute of Toronto, Ontario, Canada, states:

First of all, we'd like to state that masturbation is generally considered forbidden in Islam since it is deemed to fall under the category of sexual satisfaction outside the framework of marriage. However, when it is the only choice instead of committing the major sin of *Zina* (fornication or adultery), one can resort to it without exaggeration bearing in mind that he/she should do his/her best to satisfy his/herself within marriage.

Sexual fulfillment is an important part of the mutual obligations of husband and wife. If he cannot satisfy you through sexual intercourse, he is perfectly justified in satisfying you through other avenues; he could very well masturbate you; if he were to do this, he is working within the perfect limits of Islam.

If in spite of your best efforts to convince your husband, he still remains insensitive to your needs in this respect, you are justified in taking whatever steps are necessary in terminating your marriage, if you are unable to tolerate it.

Conclusions

- ❑ Plurality of discourses does not inevitably leads to civic pluralism
- ❑ "Traditional" authorities later adopted new media ecology
- ❑ The Internet contribute to the notion of Global Islamic Identity
- ❑ Potential to the democratization of the decision making process has to be supported by other factors

The screenshot shows a web browser window displaying the 'Digital Islam' website. The page is titled 'Digital Islam: bibliography - Mozilla Firefox'. The main content area features a search bar and a list of articles under the heading 'Research on Middle East, Islam and Digital Media'. The articles listed include:

- A: Abdi Geneive, Cyberspace frees Iran's rebel cleric. Guardian, 5th Aug 2000
- B: Battah, Habib, Syrian-developed PC game portrays Palestinian anguish. The Daily Star, 2004.
- Brückner, M., Dier Multi im Netz, in Löffler, R., Islam im Internet, Neue Formen der Religion im Cyberspace. Hamburg, Deutsches Orient-Institut, 2001. (CD-ROM)
- C: Caserio, Alexander, Debating Fatwas in the Cyberspace: the Construction of Islamic Authority in Four Francophone Muslims Internet Forums. Sacred Media - Transforming Traditions in the Interplay of Religion and the Media, Jul 2003.
- F: [No article found]

The sidebar on the right contains an 'About Us' section stating 'Digital Islam is a research project supported by Charles University in Prague.' and an 'Articles & papers' section with a 'more' link.

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Resources

- ABDO, G. Cyberspace frees Iran's rebel cleric. Guardian, 5th Aug. 2000. <http://www.guardian.co.uk/archive/article/0,4273,4047913,00.html>
- ANDERSON, J.W. Cybernauts of the Arab Diaspora: Electronic Mediation in Transnational Cultural Identities. Postmodern Culture, University of Maryland, 1997. <http://www.bsos.umd.edu/CSS97/papers/anderson.html>
- BRÜCKNER, M. Der Mufti im Netz. in LOHLKER, R., Islam im Internet, Neue Formen der Religion im Cyberspace. Hamburg, Deutsches Orient-Institut, 2001. (CD-ROM)
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- CAEIRO, A. Debating Fatwas in the Cyberspace. Sacred Media — Transforming Traditions in the Interplay of Religion and the Media, Jul. 2003. <http://www.sacredmedia.jyu.fi/mainpage.php#caeiro>

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Resources II

- CAEIRO, A. The European Council for Fatwa and Research. Fourth Mediterranean Social and Political Research Meeting, Florence, 2003. <http://ternisien.blog.lemonde.fr/ternisien/files/Caeiro.pdf>
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- JOHNSON, I. Islam and Europe: A Volatile Mix; Conflicting Advice: Islamic Justice Finds a Foothold in Hearth of Europe. Wall Street Journal (Eastern Edition), Aug. 2005: A.1.
- KARAFLOGKA, A. CyberReligious Norms: Breaking Old Codes – Creating New Patterns. in Cyberspace 2003: Normative Framework, Brno, Masaryk University, 2004.

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- KHAN, Muqtedar. The Priority of Politics: The Tyranny of Legalism. 2003. www.bostonreview.net/BR28.2/khan.html
- MAMOUN, F. CyberResistance: Saudi opposition between globalization and localization. Comparative Studies in Society and History, 41 (1): Jan. 1999: 124 – 147.
- MANDAVILLE, P. Information technology and the changing boundaries of European Islam. in DASSETTO, F., Paroles d'islam; Individus, sociétés et discours dans l'islam européen contemporain. Paris, Maisonneuve-Larose, 2000.
- SCHROEDER, R., HEATHER, N., LEE, R. The Sacred and the Virtual: Religion in Multi-User Virtual Reality. 1998. <http://www.ascusc.org/jcmc/vol4/issue2/schroeder.html>
- SISLER, V. Islamic Jurisprudence in Cyberspace: Construction of Interpretative Authority in Muslim Diaspora. In Cyberspace 2005 conference proceedings, Brno, Masaryk University, 2006. http://uisk.jinonice.cuni.cz/sisler/publications/c_jurisprudence.htm

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- TEITELBAUM, J. Dueling for Da'wa: State vs. Society on the Saudi Internet. The Middle East Journal, 56 (6): Spring 2002: 222-239.
- VAN BRUINESSEN, M. Making and unmaking Muslim religious authority in Western Europe. Fourth Mediterranean Social and Political Research Meeting, Florence, 2003. http://www.let.uu.nl/~martin.vanbruijssen/personal/publications/making_auth_arity.htm
- WAX, E. The Mufti in the Chat Room. The Washington Post, 31st Jul. 1999. <http://www.ijthad.org/mufti.htm>

Thank you for your attention.

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<http://uisk.jinonice.cuni.cz/sisler>