The Authority of Fatwa in Islamic Law: Between Legitimacy and Implementation

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Abstract. The authority of fatwa in Islamic law is essential in directing the legal and moral behavior of Muslims. This study investigates the intricate dynamics of fatwa authority, emphasizing the equilibrium between its legality and its application in modern Islamic communities. The research investigates the historical underpinnings of fatwa issuance, examining the methodologies and standards used by religious scholars and organizations in the promulgation of fatwas. It also looks at the problems that come up when trying to put fatwas into practice in today's world, such as the role of governmental institutions, the many ways that Islamic scholars interpret them, and the changing demands of society. This study seeks to comprehend the legitimization and application of fatwas within various Muslim communities by a critical examination of legal and socio-political issues, while also evaluating the efficacy of fatwas in influencing contemporary Islamic legal practices. This research closes by offering ideas to augment the relevance and efficacy of fatwas within modern Islamic legal frameworks.

Keywords: Authority; Fatwa; Islamic Law; Legitimacy; Implementation

1. INTRODUCTION

The authority of fatwa is very important in Islamic law because it helps Muslims and communities do the right thing according to Islamic principles. A fatwa is a legal opinion given by a certified Islamic scholar or jurist. It is an important source of advice for Muslims when they have problems that are not clearly covered in the Quran or Hadith. Fatwas are important to Islamic law because they are legal institutions. They affect not just religious activities but also the social, political, and economic life of Muslim cultures as a whole. But the power of fatwa and how it is used have been the topic of constant controversy, especially in modern Islamic settings. This conflict exists between the legality of fatwas, determined by their authority and sources, and the difficulties faced in their implementation within varied, contemporary civilizations. (M.S. Munawar, Masruha, F. Zulmi, & A. Abdullah, 2025).

The Quran, Hadith, Ijma (consensus), and Qiyas (analogical reasoning) have all been used to establish Islamic law, or Sharia. As Muslim communities have changed, nevertheless, the necessity for further explanation and legal advice has led to the creation of the fatwa. A fatwa is not a formal legal judgment since it does not have the same power as a judicial decision. Instead, it is an academic view on an issue of Islamic law. Fatwas are given in answer to specific questions or larger social problems. They provide interpretations and advice on religious concerns that may not be directly addressed in primary texts. Fatwas are very important in Islamic law, but many frequently doubt their legitimacy, particularly in today's

world, when things like technology, government, and globalization make it hard to understand traditional meanings. (S. Mahendra, & M. Junaidi, 2023).

The validity of a fatwa is fundamentally contingent upon the credentials and intellectual authority of the person who issues it. Traditional Islamic law has set strict standards for figuring out whether a mufti, a scholar who may issue fatwas, is qualified. These qualifications usually include a strong comprehension of the Quran, Hadith, the principles of Islamic jurisprudence (*usul al-fiqh*), and the situation in which the fatwa is given. The mufti's impartiality and skill are what make the fatwa legitimate. This means that it is not influenced by personal prejudice or outside political forces. Additionally, fatwas often derive from the agreement of experts (*ijma*) and established precedents within Islamic legal system, so bolstering their credibility. (E. J. A. H. A. H, Nasution, 2025).

Nevertheless, in modern Muslim countries, the validity of fatwas is being scrutinized owing to many circumstances. Modernization, secularism, and the emergence of state-controlled religious organizations have transformed the function of fatwas in public life. In some instances, the validity of a fatwa may be compromised by conflicting legal systems, when the state's legal structure contradicts Islamic legal precepts. Fatwas have also been a source of debate when it comes to governance, economic policy, and social justice. Many people are unsure whether religious experts or government institutions should have the last word on public policy concerns. (A. Suaedy, F. Alnizar, J. Ardiantoro, & S. A. Siroj, 2023).

One of the major problems with the validity of fatwas nowadays is that there are many different ways to understand Islamic law. The Islamic world is not a single entity; academics from various areas, schools of thought, and cultural backgrounds often interpret Islamic law in divergent ways. This variation is seen in the several fatwas issued over identical problems. For example, experts from various Islamic traditions may have quite varied fatwas on issues like women's rights, freedom of speech, and the use of technology. This lack of consistency makes many wonder how credible and relevant fatwas are in a society that is becoming more globalized, where Muslims from diverse backgrounds may have different opinions on topics that affect everyone.

Putting fatwas into action is another set of problems. Fatwas are legal opinions that are authoritative, but they don't have the same force as laws made by a government or court. Fatwas may be integrated into the legal system in some nations, whilst in others, they persist as advisory views without legal authority. There are several things that affect how fatwas are carried out, such as the political climate, the role of religious organizations, and the desire of the Muslim community to accept the fatwa. Governments may use fatwas to strengthen their

legitimacy or to keep control over religious discourse, but this may also make fatwas more political and impair their intellectual integrity. (M. Taufiq, M.F. Faiz, & Z. Ravaşdeh, 2025).

Furthermore, the execution of fatwas in contemporary society has been hindered by the fast progression of technical innovations and globalization. Fatwas are frequently needed to deal with issues like biotechnology, cyber law, financial systems, and international relations that Islamic scholars may not have seen in conventional literature. The difficulty is in aligning Islamic law with modern problems, which calls for a reevaluation of conventional legal approaches. Some academics advocate for a more adaptable and contextual methodology, whilst others assert the need of conforming to accepted interpretations. As Muslim cultures deal with the problems of contemporary life, fatwas are becoming more and more important in helping people make legal, social, and moral choices. (Y. Yasin, S. Sahar, A. Saepulloh, & A. Yahyaoui, 2025).

Even with these problems, fatwas nevertheless have a lot of power, particularly when it comes to personal morals, family law, and religious practices. Fatwas still have an effect on everyday life in many Muslim-majority nations, affecting choices about marriage, inheritance, and behavior. Fatwas may also be used to bring about societal change, as experts provide their views that support justice, equality, and the preservation of human rights in line with Islamic ideals. The difficulty persists in reconciling the legality of fatwas with their practical application in an ever-evolving environment.

The authority of fatwa in Islamic law is strongly rooted in the history of Islamic jurisprudence; yet, its validity and application are increasingly challenged in modern society. Fatwas will continue to be important for giving advice on religious and social matters as Muslim communities deal with the challenges of contemporary life. But for fatwas to be relevant, lawful, and well-implemented, traditional scholarship and contemporary legal systems will need to keep talking to one other. This contrast between tradition and modernity will continue to determine the future of fatwas in Islamic law, affecting their function in directing both individual conduct and society government. (Aseri, Mukhsin, Muhammad Rasyid, Ahmad Sharifuddin bin Mustapha, Akh. Fauzi Aseri, & Oleh Fedorchenko, 2025)

2. METHOD

This study utilizes a qualitative technique to examine the authority of fatwa in Islamic law, concentrating on the conflict between its validity and application. The project will conduct a thorough literature analysis, examining academic materials, legal frameworks, and case studies to elucidate the historical evolution, issuing procedure, and scholarly standards for

fatwas. Interviews with Islamic scholars and legal experts will provide light on contemporary practices and difficulties in the issuance of fatwas, especially in the present setting. We will also do a content study of fatwas on current events to see how they affect society and politics. A comparative approach will also be utilized to look at how fatwas are interpreted differently in various regions and sects. The focus will be on how fatwas are received and put into practice in diverse socio-political settings. The purpose of this combined approach is to provide a more nuanced understanding of the validity and practical use of fatwas in different Muslim countries. (J. Mubarak, & S. Mahfudz, 2024).

3. RESULT AND DISCUSSION

Legitimacy of Fatwas: The Role of Scholarly Authority

In Islam, a fatwa is a legal judgment or decision made by a religious organization or scholar who is an expert in Islamic law. A fatwa's validity is mostly contingent upon the authority of academics and religious organizations acknowledged for their expertise in religious affairs. It is vital for scholars who know a lot about the Qur'an, Hadith, and traditional Islamic books, as well as how to apply religious rules to current life, to issue fatwas that are accepted as authentic. (A.R. Hamdani, 2023).

A scholar's legitimacy as a fatwa issuance depends not only on their formal religious education but also on their ongoing participation in intellectual traditions and their impact on steering society toward an accurate understanding of Islam. Fatwas published by prominent scholars with authoritative expertise are often regarded as very legitimate within the Muslim community. Their authority is based on more than just their degrees; it's also based on how they interact with other scholars. Also, religious groups like the Indonesian Ulema Council (MUI) or *Dar Al-Ifta* in Arab nations are very important since they issue fatwas that show the opinions of many academics. People typically perceive their choices as binding since they are seen as representatives of a bigger group of scholars. (E. E. Elvia, 2022).

Even while experts have a lot of religious authority, the social and political situation also affects how valid a fatwa is. A fatwa, albeit based on scientific principles, may not be universally accepted by all societal factions if it conflicts with current social circumstances or the predominant perspectives. So, even while fatwas may be based on solid intellectual ideas, not everyone in the community agrees with them. This shows that social and political issues also play a big part in whether or not fatwas are valid. (Usman Jafar, Husnul Khatimah S., Tahani Asri Maulidah, 2023)

The validity of fatwas is mostly determined by established scholarly authority, which includes the transmission chain, academic qualifications, publishing history, and institutional association, with methodological openness and stakeholder engagement. Fatwas that clearly explain how to conduct ijtihad based on *uṣūl al-fiqh*, think about *maqāṣid al-sharī'ah*, and link classical and modern references to social and technical circumstances are seen as more trustworthy by the public. Peer review, the disclosure of minority perspectives, and openness to evidence all help build public trust. On the other hand, political intervention, conflicts of interest, and broken digital communication all hurt public confidence. In multiple legal frameworks, state recognition and adherence to governance principles accountability, traceability, and effect assessment—bolster legitimacy while preserving jurisprudential autonomy. (M. Aseri, M. Rasyid, Sukarni, & A. Fauzi Aseri, 2023).

The results show a shift from "personal authority" to procedural authority, especially among younger people who want verifiable normative reasoning, empirical evidence, and two-way communication. Therefore, academic authority must be functional rather than just symbolic: arguments must be clear, methodological processes recorded, and public feedback routinely administered. The primary problems are alleviating political prejudice and digital echo chambers via disclosure rules, inter-school peer review, and verifiable reference sources. To make sure that fatwas stay credible, respond to current issues in biomedicine, finance, and technology, and stay legitimate in today's fast-paced and noisy information environment, practical suggestions include multilayered governance, scientific validation, transparent processes, ethical auditing, and integrated digital communication strategies. (M. Mabsuth, 2022).

The Influence of State Power on Fatwa Legitimacy

The validity of fatwas is affected by the role of the state and the connection between political authority and religious organizations. In a lot of governance systems, particularly in Muslim-majority nations, the state has a big say in what religious experts say in their fatwas. Governments may affect the validity of fatwas in several ways, such as via their policies or religious organizations. In countries like Iran and Saudi Arabia, where religion has a lot of power over the government or is the main source of power, fatwas issued by state-recognized religious leaders are typically seen as official and enforceable. In these nations, the government not only guarantees the validity of fatwas but actively influences their direction to ensure conformity with official policy. (R.R. Zidna, S. Syafiqoh, & B. Huda, 2024).

Conversely, in secular nations or those with a delineation between religion and state, as Indonesia, the government lacks direct jurisdiction over fatwas. The state may, however, affect

the credibility of fatwas by backing or reacting to fatwas made by religious groups. For instance, the government may support or criticize fatwas on political or social problems. This might change how people see the fatwa. The state's impact on fatwas is seen in the interactions between religious experts and government officials. (Ismail, Ahmad, et al., 2024)

In certain circumstances, fatwas issued by academics or religious groups that are connected to the government are more legitimate, although these fatwas may also be politically motivated. For instance, fatwas that agree with the government's ideas on economic or social problems sometimes have more authority. In these situations, even if the fatwa is based on genuine theological knowledge, its validity may be affected by political motivations. (Rohayana & Ade Dedi, 2022)

The validity of fatwas is often influenced by the extent and form of governmental engagement as a facilitator, regulator, or hegemon. In multiple legal systems, official recognition like laws that include fatwas, the authority of religious courts, or halal certification standards gives fatwas "procedural legitimacy" since they form part of public policy and administrative frameworks. The government also improves methodological competence by providing financing, research facilities, and access to data. It also expands implementation via bureaucratic, educational, and communication channels.

But too much authority in the hands of the state may lead to regulatory capture and politicization. Fatwas that support government goals get more attention, while other views are pushed to the side, which makes researchers seem less independent. Three things help this interaction happen: (1) the legal framework (whether fatwas are enforceable or persuasive), (2) governance transparency (disclosure of conflicts of interest and methodological audits), and (3) media ecology (amplification or fragmentation of communications). (A. Priantina, M. Maripatul Uula, Aufa, & E. Herindar, 2025).

So, the state's power should help people instead of taking over. In practice, this necessitates the segregation of state support (research, data, public education) from the substantive content of ijtihad; the enforcement of funding and institutional affiliation disclosure; the establishment of cross-school peer review; the provision of minority reports; and the maintenance of digital repositories that document normative reasoning and empirical evidence. Policy feedback, like published evaluations of fatwas' effects on health, finance, or technology, should be given out on a regular basis to make sure that legitimacy doesn't come only from state symbols but also from real results, consistent methods, and ongoing conversations between scholars, citizens, and government agencies. (A. Prayogi, dkk, 2025).

Challenges in the Implementation of Fatwas

Even if fatwas from religious and government experts are valid, there are still several problems in putting them into action. One of the biggest problems is that people perceive and interpret religious texts in different ways. As society and technology change, a lot of Muslims think that the fatwas that scholars or religious groups provide are no longer useful to them. This makes it hard for these fatwas to be recognized or used by a lot of people. For example, it might be hard to put fatwas into action immediately when they are about contemporary challenges like using technology or changing societal standards. Some fatwas may pertain to traditions that are not readily applicable in contemporary contexts, particularly among younger generations who are more receptive to change. (Zainal N. Abidin, & Z. Nasohah, 2023).

Another problem with putting fatwas into action is that the populace isn't getting enough information or socialization. Fatwas are given by real academics or religious groups, but if the public isn't properly informed and educated about them, they may not be able to follow them. This is especially true in places where people don't have easy access to information or in rural locations where there aren't enough resources to spread fatwas. Another problem comes from certain sections in society that don't want to change their religious beliefs. In Indonesia and other nations with a lot of different religions, different interpretations of fatwas may sometimes cause fights in the society. For instance, fatwas from organizations like MUI or other religious experts on political or social matters might pose problems since various groups could have different ideas about whether to accept or follow them. (N.T.Basya, 2024).

Also, the use of technology in carrying out fatwas creates additional problems. In the digital era, fatwas are spread not just via conventional media but increasingly through websites and social media. This makes it easier for fatwas to go to more people quicker, but it also makes it harder to check the accuracy of the material and the fatwas. Many ideas that seem to be real fatwas may not originate from certified scholars, making it hard to tell what is valid and what isn't. This may make it hard for people to understand and make it harder to follow authentic fatwas. (Suraji, 2025).

The study shows that the legitimacy of fatwas is most at risk during the implementation phase because of three groups of problems: (1) governance and legal issues non-binding status in many places, overlaps with sectoral regulations, and a lack of operational guidelines; (2) institutional capacity limited interdisciplinary research, inconsistent methodological documentation, and a lack of post-fatwa peer review; and (3) information ecology fragmented authority, digital misinformation, and a lack of authentication channels for official texts. (M.A. Latang, M. A, 2024).

These issues lead to different levels of compliance in important areas like biomedicine, Islamic banking, and halal supply chains. This makes it costly to switch, particularly for small businesses, and there is always a gap between what is expected and what is really done. Factors that improve acceptability include clear methods, disclosures of conflicts of interest, the dissemination of minority views, and policy tools (SOPs, checklists, and performance measures) that connect legal reasoning with observable risks and effects. (M. Masruha, S. Munawar, F. Zulmi, F., & A. Abdullah, 2025).

The difficulties to implementation are mostly due to an issue with translation: turning normative thinking into protocols that can be measured, tested, and are not too expensive. Legitimacy comes from more than just the prestige of the scholars; it also comes from how well the institution works, such as having decision trails that can be checked, cross-disciplinary scientific validation, and clear policy feedback loops. (Ach Faqih Supandi, Bastomi Dani Umbara, Khittah Ashilah, Kiki Azakia, 2025)

Strengthening strategies include making it clear how persuasive and binding fatwas are related to each other, setting up peer review across schools and professions, keeping versioned digital repositories with cryptographic verification, and making impact evaluations a regular part of health, financial integrity, and halal assurance. Tiered compliance solutions make it easier for small and medium-sized businesses to follow the rules without lowering standards. Fatwas may stay legitimate in a world where rules are hard to follow and information is becoming louder by using multilayered governance based on openness, responsibility, and two-way communication. (E. Pertiwi, 2025).

4. CONCLUSION

The authority of fatwa in Islamic law is very important since it is based on the mufti's intellectual understanding and the long history of Islamic jurisprudence. Fatwas get their authority from these sources, but putting them into practice is frequently quite hard. Sometimes, the authority of the state may change how fatwas are used, making them more about politics or social issues than religious precepts. The many schools of thought in the Islamic community also make it harder for fatwas to be the same across the board. Even with these problems, fatwas are still very important for dealing with modern problems. They provide Islamic instruction on anything from how to behave personally to how to run a society. Fatwas, on the other hand, need to be established on a firm intellectual basis and carried out with honesty and openness in order to keep its power and importance. Strengthening the skills of religious scholars, making sure that the fatwa process is transparent, and making sure that the

fatwas are in line with the larger purposes of Islamic law, such justice and the good of society, are all important steps in making the function of fatwas stronger. Fatwas will continue to be an important part of Islamic legal systems as long as they are both legitimate and properly enforced. This will promote both spiritual and social peace.

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