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“METICULOUSNESS IN ISSUING FATWA”

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“METICULOUSNESS IN ISSUING FATWA”

الْحَمْدُ لِلَّهِ الْقَائِلِ: وَمَا أَرْسَلْنَا مِنْ قَبْلِكَ إِلَّا رِجَالًا نُوْحِيْ اِلَيْهِمْ
فَسْئَلُوا اَهْلَ الذِّكْرِ اِنْ كُنْتُمْ لَا تَعْلَمُوْنَ¹.

اَشْهَدُ اَنْ لَا اِلَهَ اِلَّا اللّٰهُ وَحْدَهُ لَا شَرِيْكَ لَهٗ وَاَشْهَدُ اَنَّ مُحَمَّدًا
عَبْدُهٗ وَرَسُوْلُهٗ. اَللّٰهُمَّ صَلِّ وَسَلِّمْ عَلٰى سَيِّدِنَا مُحَمَّدٍ وَعَلٰى
اٰلِهٖ وَصَحْبِهٖ اَجْمَعِيْنَ.

اَمَّا بَعْدُ، فَيَا اَيُّهَا الْمُسْلِمُوْنَ اتَّقُوا اللّٰهَ، اُوْصِيْكُمْ وَاِيَّايَ بِتَقْوٰى
اللّٰهِ فَقَدْ فَازَ الْمُتَّقُوْنَ.

قَالَ اللّٰهُ تَعَالٰى : يٰۤاَيُّهَا الَّذِيْنَ ءَامَنُوْا اتَّقُوا اللّٰهَ حَقَّ تُقَاتِهٖ وَلَا
تَمُوْتُوْنَ اِلَّا وَاَنْتُمْ مُّسْلِمُوْنَ.²

Dear blessed Muslims,

I humbly call upon all of us to altogether strive in increasing our *taqwa* of Allah *Subhaanahu Wa Ta'aala* by performing all of His Commands and leaving out all matters that He forbade. May we be bestowed with blissfulness and success in this world and Hereafter.

¹ an-Nahl 16:43.

² Aal 'Imraan 3:102.

Let us altogether give our attention and fully internalize on today's *khutbah* titled “**METICULOUSNESS IN ISSUING FATWA.**”

Blessed Friday audience,

According to *Kamus Dewan Edisi Keempat*, fatwa refers to the decision regarding a particular religious ruling that has not been determined based upon evidence from al-Qur'an, *hadeeth*, and other religious sources including *ijtihad* of muftis. While ar-Raaghib al-Asfahaani stated that fatwa is the answer to questions pertaining to religious rulings.

Therefore, it can be understood that fatwa is a notification of *shar'i* ruling upon a particular matter. And for such definition, we find the term fatwa mentioned in al-Qur'an, in verse 127 of Soorah an-Nisaa':

وَيَسْتَفْتُونَكَ فِي النِّسَاءِ ۖ قُلِ اللَّهُ يُفْتِيكُمْ فِيهِنَّ

“And they request from you, [O Muhammad], a [legal] ruling [fatwa] concerning women. Say, “Allah gives you a ruling [fatwa] about them.””

Dear blessed Muslims,

In the affairs pertaining to issuing a particular fatwa, an individual who holds the title of mufti is a person who assumes a very significant role. Mufti refers to one who possess sound religious knowledge, well-versed in *shar'i* rulings, appointed by the Ruler to answer questions that arise. The mufti is supported by a group of '*ulamaa*' (scholars) who are referred to as Members of the Fatwa Committee.

In the context of the state of Selangor, a fatwa can be issued whether through the request of any individual within the society in this state, or at the request of Members of the Fatwa Committee itself, or upon the decree of His Majesty the Sultan of Selangor as the Head of Islam in this state. Among its objective is to clarify and as guidance pertaining to *shar'i* ruling for a particular issue.

Before deciding on a fatwa, a thorough study and research must be undertaken before it is discussed in great details at the Selangor State Fatwa Committee meeting. This indicates that any fatwa that is to be issued must be subjected to a complete data collection process, with comprehensive information and accurate depiction of the issue before it is discussed. This necessitates very detailed and in-depth research.

It is this type of meticulousness that was demonstrated by the founder of our *madhhab* (school of thought), Imaam ash-Shaafi'i, who was a *mujtahid mutlaq* (absolute *mujtahid*). He would not straightaway answer questions that were posed to him, but instead he would think and ponder before answering them. Here is a reply of Imaam ash-Shaafi'i in a narration that was mentioned by Imaam an-Nawawi:

... حَتَّى أَذْرِيَ أَنَّ الْفَضْلَ فِي السُّكُوتِ أَوْ فِي الْجَوَابِ

"(I waited) until I know whether remaining quiet is better or to answer (that question)."

This careful and cautious nature is truly needed when issuing a fatwa to the society for it is a very heavy task and a great *amaanah* (trust). It is this trait of perseverance that is practiced when determining a particular fatwa, so that

the best decision is made, coinciding with religious stipulation, and safeguards the *maslahah* (interest) of the society.

Imaam an-Nawawi mentioned in his work *Adaab al-Fatwa Wal Mufti Wal Mustafti*:

إِعْلَمُ أَنَّ الْإِفْتَاءَ عَظِيمُ الْخَطَرِ كَبِيرُ الْمَوْقِعِ كَثِيرُ الْفَضْلِ...

“Know that the act of issuing fatwa is a task of very high risk and danger, a position of great honor with many merits.”

Because of that, meticulousness is a matter that is truly vital when it comes to issuing a fatwa. This is because the fatwa declared, which serves as guide in religious rulings for the society, will be implemented and enforced when it is gazetted. Representing *Ulil Amr* (ruling authority), Members of Selangor State Fatwa Committee are responsible in ensuring the decision made is accurate and conforms with the requirements of the *shara'*. May all efforts and earnestness exerted attain tremendous reward from Allah *Subhaanahu Wa Ta'aala*. It was narrated from 'Amr bin al-'As that he heard Rasulullah ﷺ said:

إِذَا حَكَمَ الْحَاكِمُ فَاجْتَهَدَ ثُمَّ أَصَابَ فَلَهُ أَجْرَانِ،
وَإِذَا حَكَمَ فَاجْتَهَدَ ثُمَّ أَخْطَأَ فَلَهُ أَجْرٌ

“When a judge gives a ruling, having tried his best to decide correctly, and is right, he will have a double reward; and when he gives

a ruling having tried his best to decide correctly, and is wrong, he will have a single reward."

(al-Bukhaari)

Respected Muslims,

During the study and research process, a *Muzaakarah* (Discussion) of Experts will be held to unravel a particular issue comprehensively. It is attended by prominent Muslim scholars, academicians, and those possessing expertise regarding the issue being discussed, as well as the involvement of officials from authoritative bodies. If there is a need and a solid resolution has yet to be achieved, then a session of *Bahth al-Masaa'il* (Discussion of Issues) will be held. It is a discussion on a smaller scale to further resolve a complex matter in greater detail and accuracies.

Only then the Meeting of the Fatwa Committee will take place. This is according to the Administration of the Religion of Islam (State of Selangor) Enactment 2003, Section 48 (2) which state:

Whenever the Committee proposes to make a fatwa the Mufti shall call a meeting of the Fatwa Committee for the purpose of discussing the proposed fatwa.

It is in this Meeting of Fatwa Committee that all research and study findings will be presented in a scholarly manner and a two-way discussion held between the researchers and Members of Fatwa Committee, comprised of distinguished scholars and qualified academicians within the fields of *'aqeedah*, *sharee'ah*, and *akhlaaq* (character).

Following that, *seeghah* (formal statement) of the fatwa that has been issued by the Fatwa Committee will be revised and harmonized in the Meeting of Fatwa Harmonization Technical Committee to ensure that *seeghah* of the fatwa issued is clear and organized without violating any laws enforced. Then, *seeghah* of the fatwa will be raised to the Meeting of Members of Selangor Islamic Religious Council (MAIS).

The Selangor Islamic Religious Council (MAIS) plays the role to meticulously examine the fatwa being recommended and then making recommendation to His Royal Highness the Sultan of Selangor to gazette a particular fatwa. If His Majesty gives consent to gazette a particular fatwa, that fatwa will be reported to the State Government Meeting Council. This fatwa will be then reviewed by the Selangor State Legal Advisor Office before it is published in the Government of Selangor Gazette.

Dear blessed Friday congregation,

It is clear to us that a fatwa is issued collectively by Members of the Selangor State Fatwa Committee, and it is not merely individual opinion. Verily, the opinion of many is better than the opinion of a single person. Moreover, it conforms to the concept of *shuraa* (consultation) that is enjoined by al-Qur'an and *as-Sunnah*.

Similarly, it is clear to us that a fatwa is only issued after having gone through a rigorous and arduous process. In this regard, His Majesty the Sultan of Selangor stated during the officiating of *Multaqa* Sultan Sharafuddin Idris Shah Alhaj in November 2024 that:

“...the process of issuing a fatwa is conducted with thoroughness by considering the views of many parties especially members of Selangor State Fatwa Committee and experts in *shar'i* rulings, before it is taken up for My approval and then gazetted.”

Hence, as residents of this state, we must adhere to the fatwa that has been issued for the sake of harmony and *maslahah* of the *ummah*. Indeed, the fatwa in a particular state represents the belief or *madhhab* for the general masses living in that state. Shaykh Hasanain Muhammad Makhluaf, one of the former members of Senior Council Members of al-Azhar University, Egypt, had stated:

مَذْهَبُ الْعَامِي فَتْوَى مُفْتِيهِ

“The *madhhab* of the layman is according to the opinion (fatwa) of his *mufti*.”

Blessed Muslims,

To end the *khutbah* this time, I implore and invite all Muslims to ponder upon several lessons as guidelines in our lives:

1. The Muslim *ummah* must accept and respect *fataawa* for they had been issued collectively, carefully, and meticulously in ensuring that the principles of *shar'i* rulings are upheld, and the interest of the Muslims are preserved.

2. The Muslim *ummah* must always remain attentive and cognizant upon *fataawa* that have been gazetted, and aid the authorities in its enforcement, so as to preserve the well-being and peacefulness for all quarters.

3. The Muslim *ummah* must refer to Islamic religious authorities when dealing with arising issues within the society that are intertwined with *shari'* ruling.

أَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ
وَإِذَا جَاءَهُمْ أَمْرٌ مِّنَ الْأَمْنِ أَوْ الْخَوْفِ أَذَاعُوا بِهِ ۖ وَلَوْ رَدُّوهُ إِلَى
الرَّسُولِ وَإِلَى أُولَى الْأَمْرِ مِنْهُمْ لَعَلِمَهُ الَّذِينَ يَسْتَنْبِطُونَهُ مِنْهُمْ وَلَوْلَا
فَضْلُ اللَّهِ عَلَيْكُمْ وَرَحْمَتُهُ لَاتَّبَعْتُمُ الشَّيْطَانَ إِلَّا قَلِيلًا ﴿٨٣﴾

“And when there comes to them information about [public] security or fear, they spread it around. But if they had referred it back to the Messenger or to those of authority among them, then the ones who [can] draw correct conclusions from it would have known about it. And if not for the favor of Allah upon you and His mercy, you would have followed Satan, except for a few.”

(Soorah an-Nisaa' 4:83)

بَارَكَ اللَّهُ لِي وَلَكُمْ فِي الْقُرْآنِ الْعَظِيمِ وَنَفَعَنِي وَإِيَّاكُمْ بِمَا فِيهِ
مِنَ الْآيَاتِ وَالذِّكْرِ الْحَكِيمِ وَتَقَبَّلَ مِنِّي وَمِنْكُمْ تِلَاوَتَهُ إِنَّهُ هُوَ
السَّمِيعُ الْعَلِيمُ.

أَقُولُ قَوْلِي هَذَا وَأَسْتَغْفِرُ اللَّهَ الْعَظِيمَ لِي وَلَكُمْ وَلِسَائِرِ
الْمُسْلِمِينَ وَالْمُسْلِمَاتِ فَاسْتَغْفِرُوهُ إِنَّهُ هُوَ الْغَفُورُ الرَّحِيمُ.

THE SECOND KHUTBAH

الْحَمْدُ لِلَّهِ الَّذِي جَعَلَنَا مِنَ الْمُسْلِمِينَ، وَرَزَقَنَا مِنَ الطَّيِّبَاتِ.
أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ، وَأَشْهَدُ أَنَّ مُحَمَّدًا
عَبْدُهُ وَرَسُولُهُ. اللَّهُمَّ صَلِّ وَسَلِّمْ وَبَارِكْ عَلَى سَيِّدِنَا مُحَمَّدٍ

وَعَلَى آلِهِ وَصَحْبِهِ وَمَنْ تَبِعَهُمْ بِإِحْسَانٍ إِلَى يَوْمِ الدِّينِ. أَمَّا
بَعْدُ، فَيَا عِبَادَ اللَّهِ اتَّقُوا اللَّهَ أَوْصِيكُمْ وَإِيَّايَ بِتَقْوَى اللَّهِ فَقَدْ
فَازَ الْمُتَّقُونَ.

إِنَّ اللَّهَ وَمَلَائِكَتَهُ يُصَلُّونَ عَلَى النَّبِيِّ يَا أَيُّهَا الَّذِينَ ءَامَنُوا صَلُّوا عَلَيْهِ
وَسَلِّمُوا تَسْلِيمًا.³

اللَّهُمَّ صَلِّ وَسَلِّمْ عَلَى سَيِّدِنَا مُحَمَّدٍ وَعَلَى آلِهِ وَأَصْحَابِهِ
أَجْمَعِينَ.

اللَّهُمَّ اغْفِرْ لِلْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ
الْأَحْيَاءِ مِنْهُمْ وَالْأَمْوَاتِ، إِنَّكَ سَمِيعٌ قَرِيبٌ مُجِيبُ الدَّعَوَاتِ
وَيَا قَاضِيَ الْحَاجَاتِ.

اللَّهُمَّ أَصْلِحْ أَيْمَةَ الْمُسْلِمِينَ وَوُلَاةَ أُمُورِهِمْ وَجَمِيعَ الْمُسْلِمِينَ.
اللَّهُمَّ إِنَّا نَسْأَلُكَ وَنَتَوَسَّلُ إِلَيْكَ بِنَبِيِّكَ الْأَمِينِ، وَنَسْأَلُكَ
بِأَسْمَائِكَ الْحُسْنَى، وَصِفَاتِكَ الْعُظْمَى، أَنْ تَحْفَظَ بَعَيْنِ
عِنَايَتِكَ الرَّبَّانِيَّةَ، وَبِحِفْظِ وَقَايَتِكَ الصِّمْدَانِيَّةَ، جَلَالَةَ مَلِكِنَا
الْمُعَظَّمِ، سُلْطَانَ سَلَاطُونِ، سُلْطَانَ شَرَفِ الدِّينِ اَدْرِيسِ شَاهِ

³ Al-Ahzab: 56.

الحاج ابن المرحوم سُلْطَان صَلَاحُ الدِّين عبد العزيز شاه
الحاج. اَللّٰهُمَّ اَدِمِ الْعَوْنَ وَالْهِدَايَةَ وَالتَّوْفِيقَ، وَالصِّحَّةَ
وَالسَّلَامَةَ مِنْكَ، لَوْلِيَّ عَهْدٍ سَلَاطُور، تَعَكُّوْا اَمِيْرَ شَاهِ ابْنِ
السُّلْطَانِ شَرْفُ الدِّينِ ادريس شاه الحاج، فِيْ اَمْنٍ وَصَلَاحٍ
وَعَافِيَةٍ بِمَنْكَ وَكَرَمِكَ يَا ذَا الْجَلَالِ وَالْاِكْرَامِ. اَللّٰهُمَّ اَطْلُ
عُمْرَهُمَا مُصْلِحَيْنِ لِلْمَوْظَفَيْنِ وَالرَّعِيَّةِ وَالْبِلَادِ، وَبَلِّغْ
مَقَاصِدَهُمَا لِطَرِيقِ الْهُدَى وَالرَّشَادِ.

O Allah! Make us among Your slaves that preserves the *amaanah*. Protect our state and nation from destruction due to acts of disobedience, bribery, embezzlement, and power abuse. Bestow upon us a leader that is trustworthy, honest, and firm in upholding the truth and executing justice according to the *Sharee'ah*. O Allah, make the *masaajid* and *suraus* in the state of Selangor as Your peaceful homes, uniting everyone, and serve as the heart of the *ummah*'s strength.

O Allah! Protect the Muslims and Masjid al-Aqsa in Palestine. Safeguard them from oppression and evil, and bestow upon them determination, courage, and victory.

O Allah! Strengthen the '*aqeedah* of the Muslims in this state, '*aqeedah* that is upon the creed of *Ahl as-Sunnah wal-Jamaa'ah*, which is upon the path of Prophet Muhammad ﷺ and his Companions *radiyAllaahu 'anhum*, and

spare us from all of the *fitan* that can harm the union and unity of the Muslim *ummah*.

رَبَّنَا هَبْ لَنَا مِنْ أَزْوَاجِنَا وَذُرِّيَّتِنَا قُرَّةَ أَعْيُنٍ وَاجْعَلْنَا لِلْمُتَّقِينَ إِمَامًا.⁴

رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً وَفِي الْآخِرَةِ حَسَنَةً وَقِنَا عَذَابَ النَّارِ.⁵
عِبَادَ اللَّهِ، إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَايَ ذِي الْقُرْبَى وَيَنْهَى عَنِ
الْفَحْشَاءِ وَالْمُنْكَرِ وَالْبَغْيِ يَعِظُكُمْ لَعَلَّكُمْ تَذَكَّرُونَ.⁶

فَاذْكُرُوا اللَّهَ الْعَظِيمَ يَذْكُرْكُمْ وَاشْكُرُواهُ عَلَى نِعَمِهِ يَزِدْكُمْ،
وَاسْأَلُوهُ مِنْ فَضْلِهِ يُعْطِكُمْ وَلَذِكْرُ اللَّهِ أَكْبَرُ وَاللَّهُ يَعْلَمُ مَا
تَصْنَعُونَ.

⁴ al-Furqaan 25:74.

⁵ al-Baqarah 2:201.

⁶ an-Nahl 16:90.