

Press Release

Egypt's "Fatwa Regulation" Law: Suppressing Sharia and Serving the Regime, Not the Religion!

(Translated)

In a move that reveals the Egyptian regime's tendency to confiscate religion and harness it to serve the ruler, the Egyptian government has approved a new draft law entitled "Regulating Fatwas." The law aims to penalize those not qualified to issue fatwas, with penalties of up to six months in prison and a fine of 100,000 Egyptian pounds. It also requires media outlets and social media sites to only publish fatwas issued by entities previously designated by the regime: The Council of Senior Scholars, Dar al-Ifta, the Islamic Research Academy, and committees from the Ministry of Endowments. In the event of conflicting fatwas, the opinion of the Council of Senior Scholars prevails.

On paper, this law may appear to be a step toward curbing chaos and an attempt to put an end to those who intrude on the fatwa process. However, upon examining the entities designated for issuing fatwas, the political environment in which this law was issued, and the reality of the ruling regime itself, it becomes clear that this step is nothing more than a new attempt to dominate religion, silence dissent, and confiscate Islamic law for the benefit of the authorities. This comes in the context of the regime's exploitation of religion to support the regime and serve its criminal policies, both domestically and abroad.

Before discussing the regulation of fatwas, we must ask: Does this regime govern by what Allah has revealed, so that it can care for people's affairs in accordance with what Allah has revealed and work to regulate fatwas that may violate Sharia? Or is it a secular regime that does not govern by Islam, but rather fights anyone who demands it and persecutes anyone who adheres to Sharia, even on an individual level?! So why does it care about fatwas and their validity and regulation, when Islam as a whole is not its religion or its merchandise? There is undoubtedly more to the story behind it. We ask this regime: Who spread chaos in fatwas? Didn't it allow and push paid clerics onto the media screens to justify its every crime? Didn't it allow religious mercenaries, who have no share of knowledge, to issue fatwas on jihad, hijab, and business dealings to suit its whims? Didn't the same Dar Al-Ifta describe resistance to the occupation in Palestine as "terrorism" and forbid people from rebelling against oppressors? This, then, is the story behind it, isn't it?

From an Islamic perspective, **a fatwa is a statement of Allah's ruling on matters presented to the mufti.** It is a communal obligation if someone is available to perform it, and an individual obligation if no one is available to issue the correct fatwa. Islam does not make issuing fatwas the exclusive domain of a government agency. Rather, it requires **knowledge, justice, and piety** in those who issue fatwas, not affiliation with an official institution. Abu Dawud narrated that the Prophet (saw) said: «مَنْ أَفْتَى بِغَيْرِ عِلْمٍ كَانَ إِثْمُهُ عَلَى مَنْ أَفْتَاهُ» **"If anyone is given a legal decision ignorantly, the sin rests on the one who gave it."** The criterion for the legitimacy of a fatwa is not "a license from the state," but rather that **the mufti be knowledgeable of the Qur'an and Sunnah, capable of deduction, and pious, not fearing the blame of anyone for the sake of Allah.**

As for restricting fatwas to specific bodies and entrusting the state with controlling them and preventing others, this is not in any way part of Islamic law. Rather, it is an authoritarian innovation pioneered by tyrannical rulers ever since they stripped the nation of its authority.

More seriously, the regime, with this move, seeks to create an official Egyptian clergy, similar to the Church in Europe during the Dark Ages where a specific group monopolizes religious discourse, preventing ordinary people and free scholars from declaring Allah's law if it contradicts the ruler's whims. This contradicts the fundamental principles of Islam, which has never recognized the so-called clergy or a religious institution that monopolizes Sharia law. Islam does not have a priesthood or an intermediary between people and their Lord. Rather, it has scholars, jurists, and hadith scholars who seek knowledge, strive to attain it, and communicate it, without authority or license from any authority.

Islam forbids the establishment of any religious authority or institution that dominates religion or prevents others from expressing their faith. It also forbids the state from imposing a single, subservient religious discourse, as this would transform it from serving religion to exploiting it and suppressing all others. The entities the law designates as "specialized" fatwa authorities are the same entities that pledged allegiance to the oppressors and supported injustice. They are part of a capitalist regime that fights Islam and those who call for its re-implementation. The Egyptian Dar al-Ifta issued a fatwa permitting interest-based loans from the International Monetary Fund! The Council of Senior Scholars supported Sisi in his coup and issued a fatwa prohibiting rebellion against him! This is despite the fact that he does not govern according to Islam, maintains the Sykes-Picot borders, and did not come to power through a valid, legitimate pledge of allegiance! As for the Ministry of Endowments, it is a political mouthpiece that mobilizes preachers to attack every voice of truth or mujahid, and calls in mosques for obedience to the regime and acceptance of its policies! The Islamic Research Academy ignores the rulings on jihad, the Khilafah (Caliphate), and the hudud (punishments), and promotes a distorted version of Islam in the manner of "American Islam"! Do these entities have legitimacy? Or only authoritarian legitimacy? Sharia law does not recognize a fatwa issued under the sword of the ruler, nor does it recognize the position of a Grand Mufti who issues fatwas that suit the "stage" and serve "stability"!

What is happening in Egypt today is **transforming religion into a bureaucratic function, and fatwas into a permit issued by the Ministry of Interior**. The goal is not to control chaos, but rather to control the people and silence any voice that opposes the regime's policies in the name of religion. This completely contradicts the Islamic way of life, in which scholars were free to speak the truth, fearing no blame for the sake of Allah, and having no authority over them. Rather, they were guardians of the Sharia against the unjust ruler.

The irony is that many of those who are sought to be prevented from issuing fatwas are not ignorant, but rather sincere preachers who speak about the Ummah's major issues, from jihad to the liberation of Palestine, to exposing the treason of normalization, to the necessity of establishing the Khilafah (Caliphate). This is the root of the problem: the authorities do not want a truly legitimate fatwa. Rather, they want a fatwa that serves the regime, its disastrous policies, and its betrayals in a legitimate guise. This is why they had to enact a law criminalizing anyone who speaks about religion outside the "dictates"! This makes fatwas subject to security oversight, not to Sharia controls. This is the very definition of the secularization of religion.

Hence, we, in Hizb ut Tahrir / Wilayah Egypt, affirm that the alternative to all this chaos is to liberate religion from the grip of the state and make its doctrine the foundation of the state, its constitution, its laws, and everything else within it. We must establish the Khilafah Rashidah (rightly guided Caliphate) based on the method of the Prophet, which will remove the state's control over judges, muftis, scholars, and even the Ummah as a whole. This Khilafah

(Caliphate) will grant them the right to proclaim the truth, enjoin what is right, and forbid what is wrong, thus raising generations who fear no one for the sake of Allah.

Egypt's "Fatwa Regulation" law is not a regulation of fatwas, but rather a persecution of Islamic law and an empowerment of the West and its agents. It is not intended to protect people from ignorance, but rather to protect them from the truth and deepen their ignorance of it. It is not intended to control religion, but rather to strip it of its essence.

O Scholars of Al-Azhar and Scholars of the Ummah: You are the heirs of the prophets, your standing before Allah is great, and your trust is heavier than mountains. Today, we live in a time in which rulings are violated, Islam is distorted, and fatwas are exploited to justify the oppression of rulers. Do not be an aid to the oppressor, a sword in the hand of the tyrant, or an echo of a ministry or fatwa house. Rather, be as Allah has commanded you: **﴿الَّذِينَ يُبَلِّغُونَ رِسَالَاتِ اللَّهِ﴾** **“That is His way with those prophets who deliver the messages of Allah, and consider Him, and none but Allah.”** [Al-Ahzab 33:39]. And say the word of truth, clarify the rulings of Sharia, support the oppressed, and reject the monopoly and domestication of religion. The Prophet (saw) said: **«أَفْضَلُ الْجِهَادِ كَلِمَةُ حَقٍّ عِنْدَ سُلْطَانٍ جَائِرٍ»** **“The most excellent jihad is when one speaks a true word in the presence of a tyrannical ruler.”** Know that history is unforgiving, that the Ummah is watching, and that your Lord will ask you: What did you do when the truth was suppressed, the truthful were imprisoned, and religion was monopolized?!

O People of Kinana: This unjust law is not intended to protect your Deen (religion) or safeguard your minds. Rather, it is a link in the chain of control over your Deen and to strip you of your most powerful weapon: Sharia and truth. They want to silence the voices of honest scholars, silence free preachers, and prevent anyone who reminds you that Islam is the religion of dignity, not the religion of submission, and that tyrants are not to be obeyed, even if they wear the cloak of fatwas. Do not be deceived by their slogans or their talk of "regulating fatwas." The goal is to control you, not to control religion. The goal is to prevent you from hearing the word of truth, so that you will not wake up, rise up, or hold accountable those who have wronged you, stolen your strength, and allied themselves with your enemy.

O People of Kinana: Your Deen is a trust on your neck. Do not leave it in the hands of a corrupt regime. Do not accept that the truth be marginalized, the Qur'an be mutilated, scholars imprisoned, and mosques exploited to justify treason and collaboration. Stand with the truth and do not remain silent about evil, for he who remains silent about the truth is a mute devil.

﴿إِنَّ الَّذِينَ يَكْتُمُونَ مَا أَنزَلْنَا مِنَ الْبَيِّنَاتِ وَالْهُدَىٰ مِنْ بَعْدِ مَا بَيَّنَّاهُ لِلنَّاسِ فِي الْكِتَابِ أُولَٰئِكَ يَلْعَنُهُمُ اللَّهُ وَيَلْعَنُهُمُ اللَّاعِنُونَ﴾

“Those who hide the clear proofs and guidance that We have revealed—after We made it clear for humanity in the Book—will be condemned by Allah and ‘all’ those who condemn.” [Al-Baqara 2:159]

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in Wilayah Egypt**