

14

FATWA ONLINE

Novel patterns of production and consumption

Roxanne D. Marcotte

Online religious authority remains a broad and still rather undefined concept. Yet, it remains an important characteristic of quite a few religious practices online (Campbell, 2012). Needless to say, it has to contend with both the challenges the Internet poses, as an empowerment tool, to traditional authoritative religious figures or hierarchies, and the possibilities it paradoxically offers for the reinforcement or consolidation of control mechanisms and structures of religious authority (ibid.). For some, the Internet fosters greater individualization, even leads to greater neglect of religious obligations, or worse, to a loss of religious belief (Crul & Heering, 2008; Jacobi & Yavuz, 2008), through what some view as a process of de-legitimation of religious authority (Peter, 2006). For others, however, new media open up possibilities for the increased visibility of 'new reformation' discourses proposed by a number of contemporary Muslim intellectuals (Mazrui & Mazrui, 2001). For others, new communication technologies, local, national and transnational networks (Helland, 2007, 2008), globalization and transnationalism (Mandaville, 2001, 2007) accentuate ongoing processes of pluralization of religious authority, and the enduring politics of religious knowledge. Only a few studies have looked into the shifts or displacement of religious authority that occur in these novel digital environments (Campbell, 2007, 2010b; Cheong, 2011; Cheong et al., 2011; Golan, 2011).

In the Islamic tradition, religious authority is embodied in the Muslim scholar's mastery of Islamic knowledge, religious scholars and the circles of their peers being called upon to provide 'legal opinions', or *fatwas*, congruent with the sacred texts and the principles of well-established Islamic legal traditions (Masud et al., 1996). Mosques, religious circles, seminaries and Islamic courts remained for centuries the traditional sites of production of Islamic knowledge. With globalization, the advent of digital technology and the ever-increasing democratization of religious knowledge, Muslims now have direct and unmediated access online to sacred texts, as

well as to the works of medieval and contemporary Muslim scholars (in original languages or translations). They listen online to recordings of an increasing number of celebrity preachers' TV programmes, or the sermons of their local sheikh (religious scholar) and those of Muslim scholars from all over the world. They participate in live online sessions with cyber-muftis, religious scholars who issue *fatwas*, or with Muslim counsellors (Kutcher, 2009; Šisler, 2011).

Each of those digital platforms contributes and embodies discrete aspects of intellectual, moral, spiritual, inspirational or legal religious authority on these novel virtual 'Muslim public spheres' (Mishra & Semaan, 2010; Marcotte, 2010a), and enables the emergence and cohabitation of a very wide range of 'authoritative' Islamic voices: Muslim scholars like al-Qaradawi (Gräf, 2007, 2008, 2010; Gräf & Skovgaard-Petersen, 2009), popular preachers like Amr Khaled (amrkhaled.net) (Echchaibi, 2011; Gauthier & Uhl, 2012), mosque imams and their sermons (Fink, 2010), Muslim intellectuals like Tariq Ramadan (tariqramadan.com), Salafi scholars like Shaikh Mohammed Alothaimeen (d. 2001) (www.ibnothaimeen.com), Islamists like the Muslim Brotherhood (ikhwanweb.com), and so on. The Internet continuously offers increasingly diversified 'imagined, mediated, and performed' forms of Islam (Sunier, 2011, 152–153; Helland, 2007, 2008; Reimer, 2008).

Some, like Bunt (2000, 2003, 2009a), have written much on cyber Islamic environments (a term he coined). Others, like Larsson (2011, 145–166), have studied a number of well-known religious scholars' legal opinions regarding the advent of the Internet and its usage. Nowadays, though, not only are individuals putting up opinions and *fatwas* on their websites, but so are local, national and transnational Muslim organizations – some putting up online *fatwa* collections, databases or *fatwa* banks, which Muslims from all over the world can browse. Many websites enable petitioners to email their questions and queries to religious scholars and to receive, online or offline, a scholarly reply (Bunt, 2009b: 293–294). The Internet enables European cyber-muftis to deal with elements of Islamic law and European legal systems that may conflict, and to propose, quite often, 'harmonizing' interpretations (Šisler, 2009). The Internet not only enables greater visibility for new religious interpreters (Mariani, 2011), but also functions as a 'cyber-mufti' for younger Muslims who live in the diaspora by bringing 'Islamic values and customs' to Europe (Rinnawi, 2012), as well as facilitating identity consumption in Muslim America (Zaman, 2008).

Located at the junction of legal theory and social practice (Caeiro, 2004, 2006, 2011a, 2011b), the *fatwa* may be said to epitomize the embodiment of Islamic religious authority. It occupies a place of choice among all those elements that, taken together, partake of online Islamic religious authority. Some have noted how Islamic knowledge, in the form of Islamic law and *fatwas*, has become both an idealized concept and a point of contestation, often related to authority in Western Muslim minority contexts (Peter, 2006; Saint-Blancart, 2004; Caeiro, 2003, 2004, 2006, 2010, 2011a, 2011b); others have noted that the Internet provides undeniably new safe anonymous spaces for Muslims to exchange views (Piela, 2011b; Marcotte, 2010a, 2015), to learn about Islam or to find guidance (Brouwer, 2004, 2006; Piela, 2010, 2011a), often in the form of *fatwas* or religious advice.

Online production and consumption of *fatwas*

With every day that goes by, the virtual '*fatwa* universe' (Caeiro, 2011a, 2011b) expands with the migration of *fatwas* online. This may well represent the litmus test for specific 'territorialized' religious interpretations grounded in particular historical, geographical, intellectual and cultural contexts, in an age when many Muslims no longer follow uncritically religious authorities, or those who pose as such. In some instances, traditional sources of knowledge and authority become secondary, as more and more Muslims strive to read, for themselves, the religious texts, interpret them, and evaluate the status of the Islamic legal and scriptural texts (Karim, 2009). This is particularly true of many Muslims (converts and non-converts) who live in the West and for whom online forums have become novel agorae, where anyone can question or reassert authoritative claims. Some of today's young Muslims no longer follow blindly any *fatwa* they find online or, for that matter, those posted by someone else. This is particularly true with *fatwas* that are unsubstantiated by evidence or make preposterous claims based on medieval reasoning and legitimizing processes. The dissonance (Ali, 2006, 151) that then occurs between a medieval episteme and a modern one, grounded in contemporary scientific knowledge (Moosa, 2002), may lead to a re-evaluation of religious knowledge and religious authority (Marcotte, 2010b).

The Internet and social media have thus become empowering tools for the development of individual autonomous abilities to seek out religious knowledge, to interpret tradition and to apply it to one's own life. This is what Mishra and Semaan (2010) have labelled an interpretative 'religious agency' – one that was once only beheld by traditional religious scholars, but which is now gradually being put forwards by ordinary lay Muslims who have increased access to various sources of knowledge, the diversity of legal and religious opinions and views, and the anonymity and confidentiality that online forums afford.

Since the particular contexts of *fatwa* production, circulation and consumption remain part and parcel of the process of generating, recirculating and using 'authoritative' interpretations, this chapter seeks to answer the following questions: What happens when the *fatwa* migrates into these novel cyber Islamic environments, where it is now at the mercy of the novel communicational logic of digital environments and the practices that emerge from them? More generally, could the Internet foster some changes, even subtle, in the dynamics of production, distribution and consumption of *fatwas*? What follows seeks to provide some insight into the ways the Internet may, first, enable the cohabitation of various global voices in *fatwas* found on one Middle Eastern Muslim website that discuss Jews and, second, enable the cohabitation of global Middle Eastern voices with local voices in Australian Muslim minority context online forums. A general socio-anthropological perspective (Granjon & Denouël, 2011; Campbell, 2010a) may shed some light, together with the content analysis of selected *fatwas* and forum threads by examining the ways contexts and perspectives presented may be framed, concepts or issues be foregrounded (or backgrounded), assumptions, attitudes or

points of view be expressed online, issues be 'topicalized', the presence of agent/patient relations, location of authority (or power), presence of connotations, and so on – all issues that are at the heart of critical discourse analysis (Paltridge, 2006, 185). These will assist in the description and interpretation of 'discourse in context', i.e. social and political issues, relations and ideologies, and power relations that are negotiated, constructed, performed and reflected through discourse (Paltridge, 2006, 179–84).

Islam Online and the production of *fatwas*

Let us turn to *fatwas* that discuss issues related to Jews, what may be labelled the 'Jewish' *fatwas*. Though their production may be grounded in a long exegetical (*tafsir*) and jurisprudential (*fiqh*) tradition, their construction of 'situated' gazes at the Jewish 'Other' remains inseparable from the contemporary contexts of their production (Nathan, 2010a, 2010b). Contemporary political conflicts, like the current ones in the Middle East, remain fertile ground for the mediation of the Jewish 'Other' (Parfitt & Egorova, 2004, 109–248), which, nowadays, has migrated online (Krutikov & Krutikov, 2004). The inherent digital forces at work in the dissemination of information online foster a renewal of the social constructions of religious interpretations (cf. Johansen, 1999; Masud, 2002; Caeiro, 2004), shaped by established or unsettled power relations and reflecting socially negotiated and constructed interpretations of this Jewish 'Other' (Hall, 1973). Online 'Jewish' *fatwas* thus partake in resolutely contemporary, transnational and quite often ideological discourses, their content frequently dependent on the 'situatedness' (time and space) of their production, producers and consumers. One cannot fail to notice the 'social situatedness' of the jurisprudential interpretations of religious authorities whose interpretative horizons are inextricably grounded in, and interconnected with, recent social, economic, political or cultural developments of the Middle East and of the global Muslim *Ummah*.

The ways in which the Internet enables the cohabitation of various modulations of global voices in the production of 'Jewish' *fatwas* may be illustrated with two examples found on IslamOnline.net, a very popular Middle Eastern Muslim website (English and Arabic), which was created in 1999. While the site was closed down in 2010, it resumed its activities the same year with the creation of OnIslam.net (OnIslam Staff, 2010). In addition, Islam Online migrated most of its content, including its *fatwa* bank, to its new website. Like a number of specialized Islamic sites, it has an English section called 'Ask the Scholar',¹ where one could find over 100 'Jewish' *fatwas* (as of March 2010), published between 2000 and the beginning of 2010 (with nine reissued at least once) (Nathan, 2010b). One cannot fail to notice that a number of the 'Jewish' *fatwas* were penned by Muslim scholars living in the West. This suggests the existence of diversified global and transnational responses to the question of the Jewish 'Other'.

The following two examples, while not providing in any way a comprehensive picture of the content of all the 'Jewish' *fatwas* available on Islam Online (as of

March 2010) (see Nathan, 2010b), nonetheless provide statements that prove enlightening in terms of the subtle shifts enabled by the migration of *fatwas* online. In their 'Ask the Scholar' *fatwa* response to a first query on 'Dealing with Jewish Neighbors' (Islam Online, 2002), the editorial team appealed to Dr Muzammil Siddiqi to pen its reply to a Muslim (from India) who wanted to know how to live with Jews settled in his neighbourhood and how to deal with their 'Zionist pro-Israeli posters'. Siddiqi notes that Muslims must be respectful and courteous towards their Jewish friends, in spite of their political and ideological stances. He advises Muslims to find occasion to talk to their Jewish neighbours and to explain to them the disastrous consequences of their Zionist ideology on the lives of millions of Palestinians.

In their 'Ask the Scholar' *fatwa* response to a second query by Martin (identified as such on OnIslam) on 'Working for a Jewish Company' (Islam Online, 2004), the editorial team called upon Zeinab Mostafa, a woman, and Sheikh Faysal Mawlawi (d. 2011) to craft their reply. At the outset of the *fatwa*, the editorial team identified these consultants as a 'Group of Mufti' and combined their 'authoritative' statements to craft its answer to a petitioner who wanted to know whether it was 'wrong' to work for a Jew and to receive earnings from him, the petitioner also noting how understanding his Jewish boss was and how he made allowances for him to take a few minutes off work to pray and to leave earlier during Ramadan (to prepare for the break of the fast).

The editorial team appeals, first, to the authority of Zeinab Mostafa, who explains that it is possible to work for a Jew, 'because Islam allows a peaceful Jew to coexist with Muslims as long as he does not attack Islam [...], especially if he is understanding and accommodating', concluding that earnings from 'that company is definitely *halal* [lawful]'. What is interesting in the excerpts included by the editorial team is the other statement of Zeinab Mostafa advising to '[...] make sure that this company or employer does not support the illegal Zionist state in Palestine. We believe that our struggle is against Zionism as a political theory and not with Judaism as a religion. We respect everyone's religion and we believe that all human beings can live peacefully on this planet if they have mutual understanding and respect'. The editorial team then adds the 'authoritative' statements of Faysal Mawlawi that '[a] Muslim is not permitted to work for any Jewish company within the Palestinian territories. Surely, those companies assist the occupation forces' and that working for a Jewish company that is located outside Palestine would be permissible 'as long as [emphasis in original text] that Jewish company does not provide any form of support to the Zionists in Palestine'.

Nowhere does the editorial team provide any reference to the statements attributed to Siddiqi, Mostafa and Mawlawi it quotes in the two *fatwas*. The reader is neither told whether what is quoted comes from personal exchanges (email or other) with those 'authorities', nor provided with any references to titles of works from which the quotes might have been taken. Nevertheless, the editorial team mentions the scholarly credentials of its 'authorities': Muzammil Siddiqi is identified as a 'former president of the Islamic Society of North America (ISNA)',²

Zeinab Mostafa is described as a 'London-based scholar and *da'eyah*',³ or preacher, and Faysal Mawlawi is mentioned as having been the 'deputy chairman of the European Council for Fatwa and Research'.⁴

For all of its *fatwas* posted on the 'Ask the Scholar' section of its website, the editorial team of Islam Online almost always appeals to sources deemed 'authoritative', some better known than others. For its 'Jewish' *fatwas*, the editorial team quoted statements from 44 different muftis, religious scholars or preachers, either as sole named authority, or as members of a 'Group of Muftis', among whom six individuals figure predominantly: Yusuf al-Qaradawi (22 mentions),⁵ Mawlawi (18 mentions), Siddiqi (nine mentions), Sheikh Muhammad Saleh al-Munajjid (five mentions),⁶ Sheikh Ahmad Kutty (five mentions)⁷ and Sheikh 'Atiyyah Saqr (five mentions) (Nathan, 2010b, 37–40).⁸ Although most of the 44 scholarly 'authorities' were trained in the Middle East, including Siddiqi, Mostafa and Mawlawi, at least eight of them are or were associated with organizations, universities or religious institutions located outside the Arab world – namely Ireland, Canada, the United States, United Kingdom and Malaysia. One should not forget that a substantial amount of material selected to craft Islam Online's replies includes translations of legal opinions originally written in Arabic. This is significant if one takes into consideration the fact that 22 of the 44 religious authorities called upon to pen the 'Jewish' *fatwas* came from the Arab world, namely Egypt, Bahrain, Gaza, Jordan, Kuwait and Saudi Arabia. These scholars' interpretative horizons would undoubtedly be quite different from those of Siddiqi, Mostafa and Mawlawi.

We need to keep in mind that the editorial team is mostly staffed with Egyptians whose commitment to the Islamic cause is of paramount importance (Gräf, 2007, 2008, 2010; Gräf & Skovgaard-Petersen, 2009; Abdel-Fadil, 2011, 2013). Working from Cairo, they live in close proximity to the more than 60-year-old conflict zone whose regional socio-political repercussions remain the backdrop of Islam Online's production of 'Jewish' *fatwas*. The second *fatwa* illustrates perhaps best their editorial choices, with the additional passages that 'foreground' the regional Israeli–Palestinian conflict. The editorial team reproduces, crafts, even at times recasts, and then disseminates to the English-speaking world their particular representations of the Jewish 'Other'.

We also need to keep in mind that the editorial choices, at times, shape and nuance (whether consciously or not) the scope of the religious opinions (*fatwas*) with their appeal to quite a variety of religious scholars and individuals, some living in the West, and statements that do more than merely foreground the regional conflict. Greater awareness of the non-Muslim contexts in which Muslim minorities live and the targeted audiences of their English website may account for this. For example, Siddiqi, who was born in India, where he received his religious education from traditional institutions such as the Darul Uloom Nadwatul Ulama (Lucknow) and then from the Islamic University of Medina (Saudi Arabia), has also earned an MA in Theology from Birmingham University in England and a PhD in Comparative Religion from Harvard University. In addition to his professional affiliations in the Middle East, he has been active in the United States where he is

also the current president of the Academy of Judaic-Christian and Islamic Studies at the University of California in Los Angeles.⁹ Mostafa was born in Egypt where she was trained and worked as a lawyer before engaging in the *da'wah*, i.e. Call to Islam. She then settled in London where she became director of a British Muslim magazine, was in charge of The Muslim Women Organization in Britain, between 1999 and 2000, and worked as a *da'ayah*, i.e. a preacher, in the London area. Faysal Mawlawi, who studied not only in Lebanon but also in Paris (Sorbonne), lived and worked in the field of Islamic law in Lebanon, one of the most pluralist societies in the Middle East, and also became deputy chairman of the European Council for Fatwa and Research. The statements of all these three 'authorities' included in Islam Online's replies concur with and uphold the conceptual normative framework of Islamic jurisprudence, even addressing regional Middle Eastern socio-political issues, while some of their statements, nonetheless, present more neutral, less polemical or bellicose views towards this Jewish 'Other'. Let us now turn to the online recirculation and consumption of *fatwas*.

Muslim Village and the consumption of *fatwas*

Not only does a thriving online *fatwa* market, with innumerable digital platforms, ensure the global distribution and circulation of various religious opinions (Hosen, 2008; Zaman, 2008; Şisler, 2011), but so do online forums, virtual Islamic public spaces (El-Nawawy & Khamis, 2012), or virtual 'e-third spaces' (Marcotte, 2010a, 133–135) where views can be shared regarding issues relevant to Muslims and the online communities in which they participate. Participants can add links to, post and often zealously discuss *fatwas* that 'Google Shaykh' puts at their disposal. They can use *fatwas* either to support or to disclaim views put forwards by others regarding any number of social, political, religious, ethical or moral views or issues. Obviously, online Muslim forums participate in the redistribution and the recirculation of countless *fatwas*.

To explore the online consumption of *fatwas* and their usage in those virtual public spaces, one may turn to any well-attended online Muslim forum. If one takes into account the nature and the volume of interaction generated by Muslim Village's online forums,¹⁰ with their claimed 27,285 members (not all active) and 944,807 posts (as of 30 September 2014), they undoubtedly constitute Australia's largest 'online community' (Wellman & Gulia, 1999; Smith, 1999) and provide us with a window onto contemporary (mostly young) Muslims' online *fatwa* consumption.¹¹ On its thousands of publicly available forums, Muslims living in a Muslim minority context, many born in Australia, engage online, not only with one another, but also with the online *fatwas* to which they, or others, appeal when dealing with the 'heterogeneous set of cultural systems' (Morey & Yaqin, 2010, 146) prevailing in Australia and with which they are confronted. In their daily Australian lives, many of them need to negotiate a number of issues relating to gender and sexual norms that may not conform to more traditional normative views, especially for those who are more religious (Marranci, 2008, 49–50). It is

thus not uncommon for online participants to seek 'religious rulings' and to provide hyperlinks to, or to copy on the forums *fatwas* they find online or media reports of *fatwas* issued by well-known Middle Eastern religious scholars, relevant to the issues they are discussing.

The example of online forum discussions surrounding hymenoplasty, the hymen reconstructive surgery some women undergo to restore (physical) virginity, while only exemplifying one type of online consumption of 'authoritative' religious opinion, nonetheless offers us a glimpse into the ways Muslims can appeal to and make use of online *fatwas*. Muslim Village's online participants discussed the surgery, the motives that could lead to resorting to the surgery, its social and religious consequences, as well as its religio-legal status (Rispler-Chaim, 2007). While discussions of participants revolved around a number of real-life incidents, they quickly sought *fatwas*, jurisprudential (legal) opinions penned by religious 'authorities', to find out whether the practice was permissible or forbidden. A female participant posted a link to a *fatwa* issued by Muhammad Saleh Al-Munajjid, found on the Saudi Salafi cleric's website, which ruled that virginity restoration was religiously forbidden (*haram*).¹² However, the same participant later posted a link to an article that mentioned that the Grand Mufti, i.e. the highest religious authority, of Egypt, Ali Gomaa, had ruled that the surgical procedure was religiously permissible (*halal*): women were not to disclose personal matters to their future spouses and the non-disclosure of the procedure was not an issue of honesty. While this Muslim woman's post did not give any reason to believe that she endorsed the Grand Mufti's view, she was the one who circulated this second and less common, and for some controversial, religious ruling. More interesting is the fact that she incorporated it into her own deliberations, as she was working out an interpretation of the practice that could be congruent with her own understanding of the Islamic tradition.

With the posting of those two religious opinions, all participants were reminded that eminent religious scholars can hold divergent and, at times, opposite views, an occasion for some to note and to highlight the flexibility that Islam affords Muslims. Moreover, another female participant wrote that her own local sheikh held the view that it was permissible to keep certain things secret from one's partner. This led another female participant to provide links to two *fatwas* she had found on the American SunniPath website, which put forward similar views: one was penned by Shaykh Faraz Rabbani¹³ and the other by Ustadha Zaynab Ansari.¹⁴ Mistakes (or sins) one had committed in the past were to remain between Allah/God and the repentant sinner; even one of the male moderators of the forum was in agreement with this position (Marcotte, 2015, 71–72).

Originally sought out for the 'authoritativeness' they embody, *fatwas* and the divergent religious opinions they put forward may be viewed under a different light when juxtaposed on online forums, examined, questioned and even re-evaluated by participants who, along with administrators and moderators, are often not religious scholars (Mishra & Semaan, 2010). While Muslim Village's participants may not be scholarly arbitrators of divergent religious claims (Illar, 2010), their usage of *fatwas*, nonetheless, signals their engagement with, and involvement

in, a diffuse-like type of religious authority in their quest for 'real' Islam, with their respective cultural (Mishra & Semaan, 2010), or essentialized and deculturized understandings (Saint-Blancart, 2004). While, at times, some participants, administrators and moderators do remind participants of 'legitimate' or more 'generally accepted' religious opinions, no single authority 'strategically arbitrates' between the various and, at times, conflicting *fatwas* participants post on the forums (cf. Cheong et al., 2011). Online interaction and discussion that take place on these less structured and less hierarchical online forums may generate individual and/or collective diffuse-like exploration and 'arbitration' processes for defining the forums' 'e-normativity' (Marcotte, 2010a; Stowasser & Abul-Magd, 2008).

Globalization, delocalization and deterritorialization

Nowadays, online production, circulation and consumption of *fatwas* occur in the context of ever-increasing globalization. Digital technology has paved the way for unprecedented transnational 'cyber public spaces' (Bowen, 2004). Some have heralded the advent of unparalleled 'deterritorialization' (Roy, 2000) of religious authority. Others have proposed its 'delocalization' (Echchaibi, 2011), far from its traditional institutional Middle Eastern milieux (e.g. Egypt or Saudi Arabia for Sunni Islam). The novel dynamics of 'translocalities' that cyber Islamic environments (Mandaville, 2001, 2007) and the new loci of *fatwa* production, circulation and consumption facilitate both impact on religious authority online and, in some instances, open up new interpretative possibilities, even kindle buds of reconfiguration.

The first two examples of 'Jewish' *fatwas* from Islam Online, on the one hand, illustrate the subtle shift globalization imparts on the production and distribution of *fatwas*, with the novel digital dissemination and circulation loops of religious interpretations generated by Muslim scholars living all over the world. With Islam Online's migration of *fatwas* online, one witnesses a diversification of collaborators-producers of its 'Jewish' *fatwas*, which, in turn, brings about a subtle change in the interpretative horizons of the Muslim gaze at the Jewish 'Other'. New sensitivities emerge that voice tolerance, as opposed to merely agonistic responses, and thus new possibilities, although too faint for some, do peek over the horizon to reconfigure subtly the Muslim gaze at the Jewish 'Other'. This 'deterritorialization' or 'delocalization' of religious authority may be a response to a number of Muslim states' authoritarian rule or, in other instances, to the institutional control of religious organizations that, in the past, embodied traditional religious authority (Echchaibi, 2011, 28). The consequences of such changes can, on the one hand, potentially introduce 'relativism' into religious authority, even threatening it, as is the case with some Hindu traditions' encounter with new media (Scheifinger, 2010). On the other hand, it may also herald the advent of a novel 'transnational Islam' (Mandaville, 2001, 2007), one that re-evaluates and rethinks its relation to traditional religious authorities.

The last two examples of *fatwa* usage from Muslim Village's forums, on the other hand, illustrate another subtle shift, as online *fatwa* consumption and

recirculation take place in novel 'glocally' contextualized and socially constructed discourses (Geelhoed, 2011; Khan, 1998; Marret, 2008; Wellman, 2004), often quite different from the original context of the *fatwa*'s production. One should thus neither be blind to the original social, political and cultural contexts of those who pen, distribute and circulate *fatwas*, nor ignore the social, political and cultural contexts of those who make use of them (Caeiro, 2006, 2011a; cf. Koningsveld, 2006) – location and context of their production, distribution and consumption do indeed matter (Agrama, 2010).

Any analysis of *fatwa* consumption by Muslims living in a minority context should take into consideration processes by which young Muslims re-inscribe themselves into 'believing pathways' (Hervieu-Léger, 1993) and 'revitalize a memory capital that individual auto-realization requirements revisit and invigorate' (Saint-Blancart, 2004). Online patterns of *fatwa* consumption may, in fact, indicate interpretative 'religious agency' (Mishra & Semaan, 2010), individuals tapping into online religious 'authoritative' knowledge to incorporate counter-hegemonic discourses in their own religious discourses (ibid.).

Muslims living thousands of kilometres away from *fatwa* production sites tap into the online *fatwa* market, and redistribute and recirculate selected ones into new loops of dissemination of selected religious interpretations on Muslim forums. They are working out, for themselves, understandings of what is normatively acceptable in their environment by tapping into globally produced knowledge that serves as material for their construction of novel glocal understandings. Saeed (2003, 212) has noted, for instance, that Islam is 'now being shaped by the prevailing values, norms and practices of Australian society [...] now being accommodated into what is considered to be Islam [...] an Islam that is comfortable with these values which will remain meaningful and relevant to their life in Australia'.

Participants who appeal to the views of scholars and *fatwas* selected from thousands readily available online may well generate what Bucar labels 'creative conformity' (Bucar, 2010, 2011; cf. Mahmood, 2006). Here, online usage of *fatwas* is inscribed into the new contextualized and socially constructed representations many online participants share. The double constraints of this 'dianomic' process (Bucar, 2010, 2011) shape the discursive performativity of their 'religious agency': online participants remain bound by their interaction with the religious normative discursive tradition of habituation and by their quest for some form of autonomy, as they deal with the unanticipated elements of the new social contexts in which they find themselves and the tensions these generate. In some instances, Muslim Village participants engage in highly polemical 'strategic actions' (Habermas) to try to change other participants' positions or beliefs (El-Nawawy & Khamis, 2012, 44–45), with, amongst others, repeated appeal to 'authoritative' views and *fatwas* of scholars, as was the case when they tackled, for example, issues such as polygyny (polygamy) and homosexuality (Marcotte, 2010a, 124–133).

In short, examples discussed above may illustrate what happens when vectors of religious authority, which the *fatwa* embodies, are no longer bound by physical and geographical spaces, and decoupled online from the contexts of its production,

dissemination and consumption – changes whose ‘many complexities and challenges to religious beliefs’ inevitably affect not only religiosity (Hesapci-Sanaktekin et al., 2013, 1567), but also other contemporary usages of *fatwas*, such as their use in ‘*takfiri*’ circles or in relation to terrorism (Weimann, 2011). This is but the tip of the iceberg of the ‘emergent’ and ‘infinite field’ of Muslims and new information and communication technologies (Hoffmann & Larsson, 2013).

Acknowledgement

Research for this chapter was made possible with a small grant awarded by the Faculté des sciences humaines de l'Université du Québec à Montréal.

Notes

- 1 www.onislam.net/english/ask-the-scholar.html.
- 2 onislam.net/english/politics/259-Advisers/168994.html.
- 3 onislam.net/english/culture-and-entertainment/259-Advisers/169117.html.
- 4 onislam.net/english/politics/259-Advisers/179226.html; cf. European Council for Fatwa and Research, see www.e-cfr.org.
- 5 onislam.net/english/politics/259-Advisers/168999.html,
- 6 www.onislam.net/english/politics/18-autho/423332-Muhammad%20Saleh%20Al-Munajjid.html.
- 7 onislam.net/english/politics/259-Advisers/179125.html.
- 8 www.onislam.net/english/politics/18-autho/418927-Sheikh%20%60Atiyyah%20Saqr.html.
- 9 isocmasjid.weebly.com/dr-muzammil-siddiqi.html.
- 10 Muslim Village is a Sydney-based Muslim community organization website established in 2001, see muslimvillage.com/about-muslimvillage.
- 11 For forum statistics, see muslimvillage.com/forums.
- 12 He founded the Salafi website IslamQA.info where his *fatwas* are available in 13 languages. The website was eventually banned in Saudi Arabia.
- 13 He was associated with SunniPath, before he founded in 2008 SeekersGuidance: see kersguidance.org/home/teachers/faraz-rabbani.
- 14 She was associated with SunniPath (2004–09), before joining SeekersGuidance: see kersguidance.org/home/teachers/zaynab-ansari.

References

- Abdel-Fadil, M. (2011) ‘The Islam-Online crisis: a battle of wasatiyya vs. salafi ideologies?’ *CyberOrient*, 5(1), www.cyberorient.net/article.do?articleId=6239.
- Abdel-Fadil, M. (2013) ‘Islam Online guides spouses towards marital bliss: Arabic vs. English counselling perspectives on marital communication’, in T. Hoffmann and G. Larsson (Eds) *Muslims and the New Information and Communication Technologies* (pp. 49–71). Dordrecht: Springer.
- Agrama, H. (2010) ‘Ethics, tradition, authority: toward an anthropology of the fatwa’, *American Ethnologist*, 37(1), pp. 2–18.
- Ali, K. (2006) *Sexual Ethics and Islam: Feminist Reflections on Qur'an, Hadith, and Jurisprudence*. Oxford: Oneworld.
- Bowen, J. (2004) ‘Beyond migration: Islam as a transnational public space’, *Journal of Ethnic and Migration Studies*, 30(5), pp. 879–894.

- Brouwer, L. (2004) 'Dutch-Muslims on the Internet: a new discussion platform', *Journal of Muslim Minority Affairs*, 24(1), pp. 47–55.
- Brouwer, L. (2006) 'Giving voice to Dutch Moroccan girls on the Internet', *Global Media Journal*, 5 (9), pp. 1–10 (art. 3), dare.uvu.nl/bitstream/handle/1871/25786/194682.pdf?sequence=2.
- Bucar, E.M. (2010) 'Dianomy: understanding religious women's moral agency as creative conformity', *Journal of the American Academy of Religion*, 78(3), pp. 662–686.
- Bucar, E.M. (2011) *Creative Conformity: The Feminist Politics of U.S. Catholic and Iranian Shi'i Women*. Washington, DC: Georgetown University Press.
- Bunt, G.R. (2000) *Virtually Islamic: Computer-Mediated Communication and Cyber Islamic Environments*. Cardiff: University of Wales Press.
- Bunt, G.R. (2003) *Islam in the Digital Age: e-Jihad, Online Fatwas and Cyber Islamic Environments*. London: Pluto Press.
- Bunt, G.R. (2009a) *iMuslims: Rewiring the House of Islam*. Chapel Hill, NC: University of North Carolina Press.
- Bunt, G.R. (2009b) 'The digital umma', in A.B. Sajoo (Ed.) *A Companion to the Muslim World* (pp. 391–310). London: I.B. Tauris.
- Caeiro, A. (2003) 'Debating fatwas in the cyberspace: the construction of Islamic authority in four Francophone Muslims Internet forums', in *Sacred Media – Transforming Traditions in the Interplay of Religion and the Media (Conference Proceedings)*. www.sacredmedia.jyu.fi/ma/inline.php#caeiro.
- Caeiro, A. (2004) 'The social construction of Shari'a: bank interest, home purchase, and Islamic norms in the West', *Die Welt des Islams*, 44(3), pp. 351–375.
- Caeiro, A. (2006) 'The shifting moral universe of the Islamic tradition of Ifta': a diachronic study of four adab al-fatwa manuals', *The Muslim World*, 96(4), pp. 661–685.
- Caeiro, A. (2010) 'The power of European fatwas: the minority fiqh project and the making of an Islamic counterpublic', *International Journal of Middle Eastern Studies*, 42, pp. 435–449.
- Caeiro, A. (2011a) 'Transnational ulama, European fatwas, and Islamic identity: a case study of the European Council for Fatwa and Research', in M. van Bruinessen & S. Allievi (Eds) *Producing Islamic Knowledge: Transmission and Dissemination in Western Europe* (pp. 121–140). Abingdon: Routledge.
- Caeiro, A. (2011b) 'The making of the fatwa: the production of Islamic legal expertise in Europe', *Archives des Sciences Sociales des Religions*, 155(3), pp. 81–100.
- Campbell, H.A. (2007) 'Who's got the power? Religious authority and the Internet', *Journal of Computer-Mediated Communication*, 12(3), pp. 1043–1062.
- Campbell, H.A. (2010a) *When Religion Meets New Media*. London: Routledge.
- Campbell, H.A. (2010b) 'Religious authority and the blogosphere', *Journal of Computer-Mediated Communication*, 15(2), pp. 251–276.
- Campbell, H.A. (2012) 'Religion and the Internet: a microcosm for studying Internet trends and implications', *New Media Society*, 15(5), pp. 680–694.
- Cheong, P.H. (2011) 'Religious leaders, mediated authority, and social change', *Journal of Applied Communication Research*, 39(4), pp. 452–454.
- Cheong, P.H., Huang, S. & Poon, J.P.H. (2011) 'Religious communication and epistemic authority of leaders in wired faith organizations', *Journal of Communication*, 61(5), pp. 938–958.
- Crul, M. & Heering, L. (eds) (2008) *The Position of Turkish and Moroccan Second Generation in Amsterdam and Rotterdam*. Amsterdam: Amsterdam University Press.
- Echchaibi, N. (2011) 'From audio tapes to video blogs: the delocalisation of authority in Islam', *Nations and Nationalism*, 17(1), pp. 25–44.
- El-Nawawy, M. & Khamis, S. (2012) 'Divergent identities in the virtual Islamic public sphere: a case study of the English discussion forum "IslamOnline"', *Journal of Arab and Muslim Media Research*, 5(1), pp. 31–48.

- Fink, S. (2010) 'A new domain for co-workers of God: accessing Khutbas on the Internet', *Australian Religion Studies Review* (new title is *Journal for the Academic Study of Religion*), 23 (3), pp. 301–324.
- Gauthier, F. & Uhl, M. (2012) 'Digital shapings of religion in a globalised world: the Vatican online and Amr Khaled's TV-preaching', *Australian Journal of Communication*, 39(1), pp. 53–70.
- Geelhoed, F. (2011) *Purification and Resistance: Glocal Meanings of Islamic Fundamentalism in the Netherlands*. Rotterdam: Erasmus University Rotterdam. hdl.handle.net/1765/31685.
- Golan, O. (2011) 'Reconstruire les frontières religieuses en ligne: l'émergence d'un internet juif confessionnel', *Le Temps des médias*, 17(2), pp. 1–14.
- Gräf, B. (2007) 'Sheikh Yūsuf al-Qaraḏāwī in Cyberspace', *Die Welt des Islams*, 47(3/4), pp. 403–421.
- Gräf, B. (2008) 'IslamOnline.net: independent, interactive, popular', *Arab Media and Society*, 4 (winter), www.arabmediasociety.com/?article=576.
- Gräf, B. (2010) 'Media fatwas, Yusuf al-Qaradawi and media-mediated authority in Islam', *Orient*, 51(1), pp. 6–15.
- Gräf, B. & Skovgaard-Petersen, J. (eds) (2009) *Global Mufti: The Phenomenon of Yūsuf al-Qaraḏāwī*. London: Hurst & Co.
- Granjon, F. & Denouël, J. (2011) 'Penser les usages sociaux des technologies numériques d'information et de communication', in J. Denouël & F. Granjon (Eds) *Communiquer à l'ère numérique: Regards croisés sur la sociologie des usages* (pp. 7–43). Paris: Presses de Mines.
- Hall, S. (1973) *Encoding and Decoding in the Television Discourse*. Birmingham: Centre for Cultural Studies, University of Birmingham.
- Helland, C. (2007) 'Diaspora on the electronic frontier: developing virtual connections with sacred homelands', *Journal of Computer-Mediated Communication*, 12, pp. 956–976.
- Helland, C. (2008) 'Canadian religious diversity online: a network of possibilities', in P. Beyer & L. Beaman (Eds) *Religion and Diversity in Canada* (pp. 127–148). Boston, MA: Brill.
- Hervieu-Léger, D. (1993) *La religion pour mémoire*. Paris: Le Cerf.
- Hesapci-Sanaktekin, O., Aslanbay, Y. & Gorgulu, V. (2013) 'The effects of religiosity on Internet consumption: a study on a Muslim country', *Information, Communication and Society*, 16(10), pp. 1553–1573.
- Hoffmann, T. & Larsson, G. (2013) 'Muslims and the new information and communication technologies: notes from an emerging and infinite field – an introduction', in T. Hoffmann & G. Larsson (Eds) *Muslims and the New Information and Communication Technologies: Notes from an Emerging and Infinite Field* (pp. 2–11). Dordrecht: Springer.
- Hosen, N. (2008) 'Online fatwa in Indonesia: from fatwa shopping to Googling a Kiai', in G. Fealy & S. White (Eds) *Expressing Islam: Religious Life and Politics in Indonesia* (pp. 159–173). Singapore: Institute of Southeast Asian Studies (ISEAS).
- Illar, D.J. (2010) 'Cyber fatwās and classical Islamic jurisprudence', *Journal of Computer and Information Law*, 27(4), pp. 577–592.
- IslamOnline (2002) 'Dealing with Jewish neighbors', *IslamOnline.net*, 25 June (reposted on OnIslam.net), www.onislam.net/english/ask-the-scholar/international-relations-and-jihad/reasons-during-war/175441-dealing-with-jewish-neighbors.html.
- IslamOnline (2004) 'Working for a Jewish company', *IslamOnline.net*, 16 May (reposted on OnIslam.net), www.onislam.net/english/ask-the-scholar/financial-issues/earning-livelihood/170228.html.
- Jacobi, W. & Yavuz, H. (2008) 'Modernization, identity and integration: an introduction to the special issue on Islam in Europe', *Journal of Muslim Minority Affairs*, 28(1), pp. 1–6.
- Johansen, B. (1999) *Contingency in a Sacred Law. Legal and Ethical Norms in the Muslim Fiqh*. Leiden: Brill.
- Karim, K.H. (2009) *Changing Perceptions of Islamic Authority among Muslims in Canada, the United States and the United Kingdom*. Montreal: Institute for Research on Public Policy.

- Khan, M. (1998) 'Constructing identity in "glocal" politics', *American Journal of Islamic Social Sciences*, 15(3), pp. 81–106, works.bepress.com/muqtedar_khan/16.
- Krutikov, M. & Krutikov, A. (2004) 'Arab.ru: the virtual other on the Israeli-Russian web', in T. Parfitt & Y. Egorova (Eds) *Jews, Muslims and Mass Media: Mediating the 'Other'* (pp. 144–156). London: RoutledgeCurzon.
- Kutcher, J. (2009) 'The politics of virtual fatwa counseling in the 21st century', *Masaryk University Journal of Law and Technology*, 3(1), pp. 33–49.
- Larsson, G. (2011) *Muslims and the New Media: Historical and Contemporary Debates*. Farnham: Ashgate.
- Mahmood, S. (2006) 'Secularism, hermeneutics and empire: the politics of Islamic reformation', *Public Culture*, 18(2), pp. 323–347.
- Mandaville, P. (2001) *Transnational Muslim Politics: Reimagining the Umma*. London and New York: Routledge.
- Mandaville, P. (2007) 'Globalization and the politics of religious knowledge: pluralizing authority in the Muslim world', *Theory, Culture and Society*, 24(2), pp. 101–115.
- Marcotte, R.D. (2010a) 'Gender and sexuality online on Australian Muslim forums', *Contemporary Islam*, 4(1), pp. 117–138.
- Marcotte, R.D. (2010b) 'The "religionated" body: fatwas and body parts', in E. Burns Coleman & K. White (Eds) *Medicine, Religion, and the Body* (pp. 27–49). Leiden: Brill.
- Marcotte, R.D. (2015) 'Let's talk about sex: Australian Muslim online discussions', *Contemporary Islam*, 9(1), pp. 65–84.
- Mariani, E. (2011) 'Cyber-fatwas, sermons, and media campaigns: Amr Khaled and Omar Bakri Muhammad in search of new audiences', in M. van Bruinessen & S. Allievi (Eds) *Producing Islamic Knowledge: Transmission and Dissemination in Western Europe* (pp. 157–168). Abingdon: Routledge.
- Marranci, G. (2008) *The Anthropology of Islam*. Oxford: Berg.
- Marret, J.-L. (2008) 'Al-Qaeda in Islamic Maghreb: a "glocal" organization', *Studies in Conflict and Terrorism*, 31(6), pp. 541–552.
- Masud, M.K. (2002) 'Islamic law and Muslim minorities', *ISIM Newsletter*, 11(1), pp. 17.
- Masud, M.K., Messick, B. & Powers, D. (eds) (1996) 'Muftis, fatwas, and Islamic legal interpretation', in *Islamic Legal Interpretation. Muftis and their Fatwas* (pp. 3–32). Cambridge, MA: Harvard University Press.
- Mazrui, A. & Mazrui, A. (2001) 'The digital revolution and the new reformation', *Harvard International Review*, 23(1), pp. 52–55.
- Mishra, S. & Semaan, G. (2010) 'Islam in cyberspace: South Asian Muslims in America log in', *Journal of Broadcasting and Electronic Media*, 54(1), pp. 87–101.
- Moosa, E. (2002) 'Interface of science and jurisprudence: dissonant gazes at the body in modern Muslim ethics', in T. Peters, M. Iqbal & S.N. Haq (Eds) *God, Life, and the Cosmos: Christian and Islamic Perspectives* (pp. 329–356). Aldershot: Ashgate.
- Morey, P. & Yaqin, A. (2010) 'Introduction: Muslims in the frame', *Interventions: International Journal of Postcolonial Studies*, 12(2), pp. 145–156.
- Nathan, J. (2010a) 'IslamOnline's portrayal of Jews', in J. Cesari (Ed.) *Islamopedia Online: Translation, News and Analysis of Contemporary Islamic Thought*, 21 December, www.islamopediaonline.org/editorials-and-analysis/julie-nathan-analyzes-islamonline%E2%80%99s-portrayal-jews-and-judaism.
- Nathan, J. (2010b) *The Portrayal of Jews on IslamOnline*. Honours thesis. Brisbane: The University of Queensland.
- OnIslam Staff (2010) 'IslamOnline founders launch OnIslam', *OnIslam*, 9 October, www.onislam.net/english/news/global/449313-islamonline-founders-launch-onislam.html.
- Paltridge, B. (2006) *Discourse Analysis*. London: Continuum.

- Parfitt, T. & Egorova, Y. (eds) (2004) *Jews, Muslims and Mass Media: Mediating the 'Other'*. London: RoutledgeCurzon.
- Peter, F. (2006) 'Individualization and religious authority in Western European Islam', *Islam and Christian-Muslim Relations*, 17(1), pp. 105–118.
- Piela, A. (2010) 'Muslim women's online discussions of gender relations in Islam', *Journal of Muslim Minority Affairs*, 30(3), pp. 425–435.
- Piela, A. (2011a) 'Beyond the traditional-modern binary: faith and identity in Muslim women's online matchmaking profiles', *CyberOrient*, 5(1), www.cyberorient.net/article.do?articleId=6219.
- Piela, A. (2011b) 'Piety as a concept underpinning Muslim women's online discussions of marriage and professional career', *Contemporary Islam*, 5(3), pp. 249–269.
- Reimer, S. (2008) 'Does religion matter? Canadian religious traditions and attitudes towards diversity', in L.G. Beaman & P. Beyer (Eds) *Religion and Diversity in Canada* (pp. 105–126). Leiden: Brill.
- Rinnawi, K. (2012) "'Instant nationalism" and the "cyber mufti": the Arab diaspora in Europe and the transnational media', *Journal of Ethnic and Migration Studies*, 38(9), pp. 1451–1467.
- Rispler-Chaim, V. (2007) 'The Muslim surgeon and contemporary ethical dilemmas surrounding the restoration of virginity', *Hawwa*, 5(2/3), pp. 324–349.
- Roy, O. (2000) 'La communauté virtuelle. L'internet et la déterritorialisation de l'islam', *Réseaux*, 18(99), pp. 219–237.
- Saeed, A. (2003) *Islam in Australia*. Crows Nest: Allen and Unwin.
- Saint-Blancart, C. (2004) 'La transmission de l'islam auprès des nouvelles générations de la diaspora', *Social Compass*, 51(2), pp. 235–247.
- Scheifinger, H. (2010) 'Threats to Hindu authority: Puja-ordering websites and the Kalighat', *Asian Journal of Social Science*, 3(4), pp. 636–656.
- Šisler, V. (2009) 'European Courts' authority contested? The case of marriage and divorce fatwas on-line', *Masaryk University Journal of Law and Technology*, 3(1), pp. 51–78.
- Šisler, V. (2011) 'Cyber counselors: online fatwas, arbitration tribunals and the construction of Muslim identity in the UK', *Information, Communication and Society*, 14(8), pp. 1136–1159.
- Smith, M.A. (1999) 'Invisible crowds in cyberspace: mapping the social structure of the usenet', in M.A. Smith & P. Kollock (Eds) *Communities in Cyberspace* (pp. 195–221). New York: Routledge.
- Stowasser, B.F. & Abul-Magd, Z. (2008) 'Legal codes and contemporary fatawa: Muslim women and contesting paradigms', *Journal of Women of the Middle East and the Islamic World*, 6, pp. 32–51.
- Sunier, T. (2011) 'The making of Muslim youth cultures in Europe', in M. Bailey & G. Redden (Eds) *Mediating Faiths: Religion and Socio-Cultural Change in the Twenty-First Century* (pp. 147–158). Farnham: Ashgate.
- Van Koningsveld, P.S. (2006) 'The significance of fatwas for Muslims in Europe: some suggestions for future research', *Nederlandsch theologisch tijdschrift*, 60(3), pp. 208–221.
- Weimann, G. (2011) 'Cyber-fatwas and terrorism', *Studies in Conflict and Terrorism*, 34(10), pp. 765–781.
- Wellman, B. (2004) 'The glocal village: Internet and community', *Ideas*, 1(1), pp. 26–29.
- Wellman, B. & Gulia, M. (1999) 'Virtual communities as communities: net surfers don't ride alone', in M.A. Smith & P. Kollock (Eds) *Communities in Cyberspace* (pp. 167–194). New York: Routledge.
- Zaman, S. (2008) 'From imam to cyber-mufti: consuming identity in Muslim America', *The Muslim World*, 98(4), pp. 465–474.