# Follow Your Heart or Trust the Scholars? The Islamic Ethics of Moral Authority

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# Author Biography

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He obtained his Ph.D. in Islamic Intellectual history in the Department of History, University of Wisconsin-Madison, Masters in Social Sciences from the University of Chicago, and Masters in Computer Science and Bachelors in Nuclear Engineering and Physics from the University of Wisconsin-Madison. Before higher education, his Islamic training began at home while growing up in Pakistan, Saudi Arabia, and the United States with a broad range of scholars including his remarkable grandmother, and continued as he studied *fiqh* with South Asian Ḥanafī and Ahl-e-hadīs scholars and *usūl al-fiqh* and *qirā'āt* of the Quran with scholars from Egypt's Al-Azhar and Syria. He is the author of *Politics, Law and Community in Islamic Thought: The Taymiyyan Moment* (Cambridge University Press, 2012). He has translated *Madarij al-Salikin* (*Ranks of Divine Seekers*, Brill 2020) by Ibn al-Qayyim (d. 1351), one of the greatest Islamic spiritual classics, which is the largest single-author English translation of an Arabic text. His current projects include a survey of Islamic history and a monograph on Islamic political thought.

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You have a dispute with your neighbor—over a boundary, a debt, a shared right. It has dragged on for months, and private resolution has failed. So you do what a Muslim should do: You bring it before a judge. Not just any judge, but one known for knowledge, piety, and integrity. You trust him completely. The hearing unfolds. You have a way with words; your neighbor, in contrast, struggles to articulate his strongest points. The judge rules in your favor. By every outward measure, justice has been done.

But as you leave, you realize something unsettling: The judgment is wrong. You saw where your neighbor failed to express what would have changed everything. What do you do?

Now imagine the judge is none other than the Prophet ﷺ himself. This is not a hypothetical. The Prophet ﷺ addressed this situation directly: "I am only human, and you bring your disputes to me. Perhaps one of you is more eloquent in his argument than another, and I rule in his favor according to what I hear. So if I ever give someone a right that belongs to his brother, let him not take it—for I am only cutting for him a piece of the Fire."[1]

The ruling settles the matter in the court. It does not settle it before Allah. Muslim scholars capture this difference as that between *qadaʾ* (ruling of an Islamic court) and *diyana* (what is right before Allah).

This single hadith contains an entire moral philosophy. It tells us that formal authority—even Prophetic authority as a judge—cannot substitute for truth. It tells us that the believer's responsibility to reality does not end when the gavel falls. It tells us that the heart, if it knows, remains accountable, regardless of what the court has decided.

It also tells us something about the nature of the problem we are about to confront. The question of how to navigate between external authority and internal moral knowledge is not a modern anxiety, not a symptom of weakened faith, not an

[1] *Ṣaḥīḥ al-Bukhāri*, no. 6967.

innovation of Western-influenced Muslims uncomfortable with tradition. It is a question the Prophet ﷺ himself raised, in the most dramatic way possible, by applying it to his own rulings.

What follows is an attempt to take that question seriously.

## The Dilemma: Authority Versus Intuition

> No one needs an *ijāzah*, *minhāj*, *ṭarīqah*, or a super-vanilla (organic or flavored) shaykh to state the obvious: Gaza and Palestine are largely the result of complicit oligarchs—plantation guards tasked with keeping the *ummah* weak, fractured, and dependent.

Humor aside, in this social media post, Shaykh Suhaib Webb, an American scholar of Islam and graduate of Al-Azhar University, gestures toward a deeply consequential teaching in our religion. At stake is the tension between two overlapping responsibilities. On the one hand, there is the cultivation of an inner moral intelligence—a concern for the injustice, suffering, and concrete realities confronting individuals, communities, and the *ummah* at large. On the other, there is fidelity to the inherited scholarly tradition grounded in scripture: disciplined engagement with texts and reverence for learned authorities as bearers of the divine message. Both are equally necessary and ultimately harmonious. They are not rivals, but mutually disciplining. Yet experience suggests that, at times, they come into conflict. Note that the conflict is not between our intuition and what Allah wants—to subdue our ego to Allah is the entire point of submission—but between what our heart says Allah wants and what some external authority claims.

In such moments of tension, the Prophetic guidance we present below instructs us neither to suppress the heart nor to neglect the authority of the learned, while remaining ever vigilant against temptation and subtle distortion. After all, how do we know that what we consider our moral intuition objecting to a fatwa is not merely the corrupting effect of our social circles? This balance is not easy to sustain, and requires both knowledge and discernment, the company of the learned and the righteous as well as contemplation and self-assessment (*muraqaba* and *muhasaba*) with Allah. This essay is not intended to provide an exhaustive

blueprint, but broad Prophetic guidance concerning a challenge that is inevitable in the life of a believer.

## The Test of Interpretation: From Gaza to LGBT

Ambiguity in divine command is never unintended. Why, when Allah made the most staggering demand of His beloved servant, Prophet Ibrahim, upon him be peace, to sacrifice his son, did He communicate it through a dream? The form matters. A dream requires recognition and resolve; it does not compel in the way a direct command might. Ibrahim could have dismissed it. Instead, he read it as binding and acted upon it.[2] The Qur'an, likewise, praises those "who listen to the word and follow the best of it."[3] One exegete describes these listener followers as connoisseurs of faith, discerning not only what is permissible, but what is most pleasing to Allah.[4] As a warning, the Qur'an also recounts the Israelites who outwardly honored the Sabbath yet hollowed it out in practice, setting their nets in advance and collecting the catch after.[5] Between these two lies the real trial: not mere compliance with the letter of the law, but the ability to recognize and pursue the fuller truth of what Allah asks of us.

The question, then, is not whether we obey but how we recognize what obedience requires when authority, context, and moral clarity appear to diverge.

The appeal to the heart is dangerous if left untrained. Intuition must be disciplined by *taqwa*—a God-consciousness that refines perception and anchors judgment in divine truth. The classical tradition recognized this, developing not only rules but an ethics of seeking guidance, in which sincerity, honesty, and discernment are themselves moral obligations. As evinced by the classical books of advice addressed to the seeker of a fatwa (*adab al-mustafti*), even the act of asking requires judgment and piety: integrity in presenting one's case, humility in

[2] For a classical allusion to this problem, see Imam Fakhr al-Rāzī's discussion of whether the vision entailed a command, under Sūrat al-Ṣāffāt (37:102), "al-masʾalat al-ūlā," https://tafsir.app/alrazi/37/102.
[3] Qur'an 39:18.
[4] See Maḥmūd ibn ʿAbdullāh al-Ālūsī, *Tafsīr rūḥ al-maʿānī*, under Sūrat al-Zumar (39:18), https://tafsir.app/alaloosi/39/18.
[5] Qur'an 7:163.

receiving the answer, and awareness that such guidance is often context-sensitive and open to legitimate disagreement.[6]

Consider moments when religious authority is invoked to counsel silence in the face of manifest injustice—when believers are urged to ignore atrocities, avoid protest or boycott, and retreat to private piety. Here, the test of interpretation becomes acute: Does obedience lie in compliance with authority, or in fidelity to the Qur'anic demand for justice and solidarity, and the alleviation of suffering?

This is not merely hypothetical. Across much of the Muslim world, political conditions restrict expressions of support for Palestine, and segments of religious leadership have echoed or acquiesced to these constraints.[7] In many contexts, access to diverse scholarly voices is limited, and what reaches the public as "the Islamic view" is shaped by institutional and political mediation. The result is not the absence of principled scholarship—indeed, many scholars have spoken courageously, often at personal cost—but a fractured moral landscape in which competing claims to religious legitimacy swirl, and positions that strain the conscience are elevated as though they were the norm. The *ummah*—nearly two billion souls—finds itself divided and stalled: caught in cycles of national, ethnic, and sectarian contention that sap its moral will. In that paralysis, those aligned with power grow louder and more effective, while voices that might call us to the courage of Moses fall quiet or are dismissed. A weary logic begins to take hold: *If*

[6] Ibn al-Ṣalāḥ al-Shahrazūrī (d. 643/1245), *Adab al-muftī wa-l-mustaftī*, ed. Muwaffaq ibn ʿAbdullāh ibn ʿAbd al-Qādir (ʿĀlam al-Kutub, 1407/1986), 158–71, https://shamela.ws/book/10720/134#p1.

[7] Nearly every piece of reasoning given here is based on my personal knowledge based on teaching, lecturing, and advising across campuses across the West, in particular, the United States, but also the UK and Australia. On one occasion in late 2024, I assigned my Muslim graduate students to record their experiences in speaking and mobilizing about Gaza. One served in an advisory capacity at a leading university in the US and anonymously documented the reasons Muslim students gave for their fear or indifference in speaking up for Palestine. Many of those reasons were excusable, such as the fear of foreign students of being expelled and persecuted. But many were based on ideological religious reasoning, aggravated no doubt by indifference, lack of courage, and exaggerated fear. For a call to judicious but courageous participation, see the following Yaqeen articles: Ovamir Anjum, "Speaking Truth to Power: Islamic Rules for Protests, Civil Disobedience, and Encampments for Gaza | Blog," May 16, 2024, https://yaqeeninstitute.org/read/blog/speaking-truth-to-power-islamic-rules-for-protests-civil-disobedience-and-encampments-for-gaza; Tom Facchine, "Intersectionality and Palestine Solidarity: Why Muslims Need to Lead the Gaza Protests | Blog | Yaqeen Institute for Islamic Research," June 19, 2024, https://yaqeeninstitute.org/read/blog/intersectionality-and-palestine-solidarity-why-muslims-need-to-lead-the-gaza-protests.

*God has given them power, they must be in the right*—a surrender not of argument alone, but of moral imagination itself.[8]

Lest I be misunderstood: There is no dearth of true *ʿulamaʾ* in this *ummah* who speak the truth at any cost, many thousands of them incarcerated, many more silenced. Yet we cannot absolve ourselves of this silence; when a collective obligation is unfulfilled—as a fundamental principle states—the entire *ummah* is blameworthy.[9]

If Palestine illustrates the moral risk of an uncritical deference to authority, the converse danger is no less real: the elevation of instinct, sentiment, or prevailing social norms over the disciplined guidance of the tradition. The rapid normalization of LGBT ideology in contemporary Western discourse—framed in terms of liberation, antipatriarchy, and resistance to oppression—has shaped the moral intuitions of many Muslims, particularly in diasporic contexts. Some have responded by seeking to realign Islamic norms with slogans such as "love is love" or the view that gender is purely a social construct. Others, while formally affirming traditional teachings, have minimized the issue as politically exaggerated or morally secondary, effectively aligning themselves against those voicing the Islamic view. In this case, the gravitational pull of dominant cultural narratives risks displacing the careful moral reasoning preserved within the scholarly tradition. By contrast, traditionally trained scholars and imams, especially those engaged in the pastoral realities of Muslim communities, have generally recognized the seriousness of these questions within an Islamic moral framework.

These two examples illustrate opposite failures of the same underlying problem: In the first, excessive deference to authority silences a sound moral intuition; in the second, excessive trust in intuition—shaped by cultural pressure rather than revelation—overrides sound scholarly and scriptural guidance. The challenge is not

[8] Whether this reflects a broader failure of scholarly responsibility among Muslims today—as argued by scholars such as Dr. Farah El-Sharif and other principled advocates of justice—or the silencing of a far larger body of scholars by state-aligned and amplified voices, remains an open and pressing question. Refer to Farah El-Sharif's substack and/or forthcoming Ḥāshiya piece.

[9] For a presentation of collective obligation, see Tāj al-Subkī, *Kitāb rafʿ al-ḥājib ʿan mukhtaṣar Ibn al-Ḥājib*, https://shamela.ws/book/6338/495.

to choose between authority and intuition, but to understand how each corrects and disciplines the other.

## Daily Dilemmas

The stakes become even more intimate when we turn to our lives as parents, teachers, religious leaders, community members. How do we teach our children, students, and congregants to become good believers? Do we nurture their innate sense of right and wrong—their *fitra*—encouraging them to speak up against injustice, or teach them expedience and compromise in a dangerous world?

Should those in authority nurture and give moral weight to the inner voice that recoils at cruelty and injustice, even when it unsettles inherited judgments and becomes more liable to subtle social and cultural pressures? Or should they instead train their wards toward disciplined deference, cultivating a posture of submission to established traditional authority and the accumulated wisdom of the community's elders, even when that authority appears to mute or override that moral instinct? Should we encourage a creative openness to a world of different opinions, or moderate their curiosity to emphasize obedience and deference until they can "properly" interpret scripture and the world through the lens of books and authorities?

These are not abstract concerns. They are the questions you face, quietly, every day:

- When I receive an unsettling fatwa from a scholar, do I silence that feeling or take it seriously?
- If two scholars give different answers, do I choose the one that feels easier?
- When my child asks, "Why is this permissible and that impermissible?"—do I teach them to trust the answer, or to wrestle with it until it makes moral sense to them?
- If my child says, "That doesn't feel fair," do I correct them, or do I pause and ask what their heart is perceiving?

- When I know how to phrase a question to get the answer I want, am I seeking guidance or fatwa shopping?
- If a ruling seems to overlook real harm to a person, family, or community, do I submit or do I question whether something has been missed?
- When authority speaks, how do I know I am hearing the voice of the *deen* and not the echo of culture, power, or convenience?

And beneath all of these lies a deeper tension:

- Am I raising my children to learn the truth as it is said, "Know the truth, you will know its champion," or to trust the scholars I consider safe?
- If I train them only to defer, will they recognize injustice when it is justified in religious language?
- If I train them to rely on their inner sense, will they end up following a charlatan, a "religious influencer," or develop false confidence, lacking the discipline and humility that knowledge requires?

This, then, is the question: not whether to follow the law or the heart but what guidance revelation and reason provide to navigate the tension between moral intuition and inherited authority.

# The Prophetic Framework

## Hadith I: "Ask Your Heart"

A man named Wabisa ibn Maʿbad came from far away to ask the Prophet ﷺ a question that troubles every believer: What is truly right, and what is truly wrong?

As he approached through the crowd, the Prophet ﷺ saw him and said, before he could even speak, "You have come to ask about righteousness and sin?" He replied, "Yes." The Prophet ﷺ drew him close, tapped his chest, and said thrice, "Ask your self. Ask your heart, O Wabisa—ask your heart. Righteousness is what the soul feels at ease with and the heart finds tranquility in. Sin is what unsettles

the soul and wavers in the chest—even if people give you fatwas, again and again."[10]

This is one of the most striking teachings in Islam. It appears, at first glance, to open the door to pure subjectivity—as if one's feelings could override revelation or scholarship. But that is not what the Prophet ﷺ meant. This meaning is made clearer in a longer version found in *Musnad Ahmad* that adds at the end, "Do not approach the meat of the domesticated donkey or that of any beast with canine teeth."[11] Here, the Messenger ﷺ gave concrete legal prohibitions in that very context, leaving no doubt that on issues where Allah has spoken clearly—about what is lawful and unlawful—the believer submits, even if it feels unfamiliar or difficult. The prohibition of consuming donkey meat, which was occasionally consumed by the poor in Roman Syria of Late Antiquity in the centuries before Islam, is instructive. The heart is not a replacement for revelation; it is an instrument where the understanding, submission, and love for Allah and His revelation must be cultivated. Besides, not every heart is like Wabisa's, Allah be pleased with him, attuned to the truth.

This raises a harder question: which heart?

For what we call "the heart" is not a pure compass. It is a mixture—of desire and discipline, habit and faith, clarity and distortion. It can perceive truth, but it can also rationalize error. That is why it must be cultivated: through worship, knowledge, and *taqwa*, until it becomes capable of recognizing what aligns with Allah's will.

And what, then, is "authority"? For most Muslims today, it is not a single clear voice, but a crowded field: scholars, institutions, online preachers, inherited traditions, and competing interpretations—often overlapping, sometimes conflicting. To seek guidance in such a world is not a mechanical act. It requires judgment, sincerity, and discernment.

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[10] This version is in *Sunan al-Dārimī* (bk. 18, no. 2453) with nearly identical wording; in *Musnad Aḥmad*, no. 18028; and in al-Mundhirī, *al-Targhīb wa-l-tarhīb*, where it is graded authentic by al-Albānī.

[11] *Musnad Aḥmad*, no. 17745; graded sound by Shuʿayb Arnāʾūṭ, https://dorar.net/hadith/sharh/210341.

The hadith, then, does not dissolve the tension between authority and intuition. It names it—and places responsibility squarely on the believer. Not to follow the heart blindly, nor to surrender unthinkingly to authority, but to form a heart that can recognize the truth when it encounters it—even when others speak in its name.

## Hadith II: "Avoid What Is Confusing"

If the first hadith teaches us to trust a trained heart, this second hadith places a necessary restraint upon it. The Prophet ﷺ said:

> The lawful is clear, and the unlawful is clear, and between them are doubtful matters unknown to most people. One who avoids doubtful matters safeguards his religion and his honor, but one who falls into doubtful matters [eventually] falls into that which is unlawful, like the shepherd who pastures around a sanctuary is likely to cross into it. Lo, every king has a sanctuary, and Allah's sanctuary is His prohibitions. In the body there is a morsel of flesh, which, if it is whole, all the body is whole, and which, if it is diseased, all of [the body] is diseased. Truly, it is the heart.[12]

This hadith establishes three essential truths. First, the core commands of Islam that are clearly lawful and unlawful—are accessible and known in a healthy believing community. Second, detailed knowledge remains limited; not everyone can master the finer points of the law, and many situations fall into areas of uncertainty. This is not a failure, but a condition of human life. Third, in such cases of ambiguity, the Prophet ﷺ directs us toward *wara'*—a posture of moral caution that avoids what is doubtful in order to safeguard one's religion and integrity.

But this principle, powerful as it is, is not absolute.

The Prophet ﷺ himself limited its scope in practice. When a man doubted the paternity of his child based on appearance, he did not instruct him to withdraw from the doubtful matter—which would have shattered a family—but instead

[12] *Ṣaḥīḥ al-Bukhāri*, "Chapter: The superiority of he who leaves all doubtful things for the sake of his religion," no. 52; *Ṣaḥīḥ Muslim*, "Chapter: Taking that which is lawful and leaving that which is unclear," no. 1599.

corrected him through analogy, noting that animals of one color can produce offspring of another. Suspicion does not overturn established certainty.[13]

Similarly, in prayer, one who doubts whether his state of purity has been broken should not act on this doubt unless clear evidence appears: "until he hears a sound or finds a smell."[14] From this emerges the foundational maxim: Certainty is not removed by doubt (*al-yaqeen la yazulu bi-l-shakk*). Doubt alone does not obligate withdrawal.

These examples reveal a crucial point: Avoiding doubtful matters is a discipline of personal caution, not a universal rule for all situations. In fact, there are many contexts in which strict avoidance would produce greater harm.

First, when doubt is pervasive, avoidance leads to paralysis. In modern life—from finance to medicine to governance—uncertainty is often structural. If one avoided everything disputed, ordinary life would collapse. The law itself frequently operates on probability, not certainty.

Second, when obligation is clear, it overrides precaution. A parent cannot refuse to provide for their family because an income is not perfectly pure; a judge cannot abstain from ruling because evidence is incomplete; a leader cannot avoid difficult decisions because outcomes are uncertain. In such cases, the duty to act outweighs the comfort of abstention.

Third, not all doubt is valid. Some doubt arises from pathological misgivings (*waswasa*), which the law seeks to cure, not reinforce. More dangerously, doubt can be manufactured—by polemical or extremist voices demonizing mainstream practices as suspect, or by competing authorities in pluralistic societies. If every claim of doubt were treated equally, moral life would become unstable and fragmented.

For this reason, the hadith does not abolish judgment but disciplines it. Avoidance protects the individual from sliding into sin, but it cannot resolve every moral

[13] *Ṣaḥīḥ al-Bukhāri*, no. 6847; a similar narration is found in *Ṣaḥīḥ Muslim*, no. 1500.
[14] *Ṣaḥīḥ al-BukhāriI,* no. 177; *Ṣaḥīḥ Muslim*, no. 361.

dilemma, especially where competing values are at stake: justice and stability, unity and reform, caution and responsibility.

It is precisely at these limits that the first hadith returns with renewed force. When rules become uncertain, when doubt cannot be escaped, and when abstention itself becomes a form of failure, the trained heart must again take up its role—not as a substitute for the law, but as its necessary companion in navigating the ambiguities of life.

## Hadith III: "Do Not Be a Blind Follower!"

Yet even this careful balance between trained intuition and disciplined caution assumes something further: that what we experience as our "inner sense" has not already been shaped, subtly and invisibly, by the pressures of the surrounding world.

The Prophet ﷺ warns of this possibility when he says:

> Do not be an *imma'a*, saying, "If the people do good, we do good; and if they do wrong, we do wrong." Rather, discipline yourselves so that if people do good, you do good, and if they do evil, you do not commit evil.[15]

The modern *imma'a* is not merely one who follows others in action, but one whose moral perception itself has been absorbed by imitation—so that what feels like conscience is in fact conformity. The danger is not simply that people follow others, but that they come to believe they are following themselves—they are individualist, unique, special, even trailblazers—while in fact repeating the judgments of their environment. In this sense, even the "heart" that Hadith I asks us to consult can be distorted by the moral atmosphere in which it is formed.

This is why the Prophetic framework requires more than trust in intuition or adherence to formal rulings alone. It requires a conscience anchored beyond both the self and the crowd—disciplined by revelation, and capable of distinguishing

[15] *Jāmi' al-Tirmidhī*, *Kitāb al-birr wa-l-ṣilaḥ*, no. 2007, https://sunnah.com/tirmidhi:2007; graded *ḥasan gharīb*.

between what is truly known inwardly and what has been socially inherited as feeling.

But these imperatives presuppose that the authority one might defer to is itself trustworthy. What happens when it is not? Our scholars have been remarkably candid about this possibility.

## The Well-Known Versus the Expert Realm

Submission to the divine lies at the heart of Islam, yet discerning God's command in concrete life has always required interpretation—hence the vast tradition of *fiqh*. On most questions, multiple juristic positions exist, and ordinary Muslims must rely on qualified authorities to navigate them. At the same time, the tradition also recognizes a more difficult reality: that scholarly judgment, while authoritative, is not immune to error, and in rare cases may be compromised.

Imam al-Ghazali identifies the figure of the "wicked scholar" (*ʿalim al-suʾ*): one whose knowledge is detached from sincerity and whose learning becomes entangled with status, power, or self-interest.[16] Such a figure does not merely err privately but can mislead others through persuasive religious speech. Based on the hadith that opened this essay, we may add a complementary point: Even sincere scholars may err due to incomplete evidence, contextual blindness, or simple misjudgment. Error, in other words, can arise both from moral failure and from lack of relevant knowledge.

Accordingly, in a remarkable and enlightening classification, Shaykh al-Islam Ibn Taymiyya distinguishes between what we may call three types of what goes under the label of Sharia or divine law.[17]

First is what Ibn Taymiyya calls the revealed law itself (*al-sharʿ al-munazzal*): the clear, foundational obligations and prohibitions known to the Muslim community and "known of the religion by necessity," such as the five prayers, fasting Ramadan, and the major prohibitions. Second is the interpreted law (*al-sharʿ*

[16] Abū Ḥāmid al-Ghazālī, *Iḥyāʾ ʿulūm al-dīn* (Dār al-Maʿrifa, n.d.), *Kitāb al-ʿilm*, 1:58.
[17] Ibn Taymiyya, *Majmūʿ al-fatāwa*, 35:395–96.

*al-muʾawwal*), consisting of juristic reasoning (*ijtihad*) undertaken by qualified scholars and followed by nonspecialists through taqlid.

The distinction between these two categories throws the nature and function of taqlid into sharp relief. In his short work on *usul al-fiqh*, *al-Waraqat*, Imam al-Juwayni states that taqlid is only relevant for those who lack direct access to evidences: "One of the conditions of the one seeking a fatwa [*al-mustafti*] is that he be among the people of taqlid—for a scholar is not permitted to perform taqlid." He then defines taqlid as "accepting the statement of a speaker without [knowing] its proof," or "without knowing its source."[18] On this account, taqlid is not intellectual abdication but a rational necessity: It is justified precisely insofar as one does not possess the tools to evaluate proof independently.

This also clarifies its limits. In matters of the revealed law—those foundational duties and prohibitions known to every Muslim—taqlid does not apply, because these are not matters of specialist disagreement but of shared religious knowledge. It would therefore be incoherent, and religiously impermissible, to follow a claim that directly negates them: for example, that the obligation of five daily prayers is reduced to two, or that one is not required to defend Muslim life or sacred sanctities. In such cases, the issue is not disagreement among jurists but contradiction of what is known by necessity. Outside these clear fundamentals, however, the nonexpert Muslim who does not have the capacity to form independent judgment follows the law as interpreted by qualified and trustworthy scholars, recognizing that such interpretation is precisely what taqlid was designed to make possible.

## When the Form of the Law Diverges from Its Truth

A third category—more unsettling, yet indispensable—must be acknowledged. Its possibility is already implied by the opening hadith: A ruling may carry full legal form and still miss the truth. The same applies to fatwas. Though they do not operate under courtroom constraints, they rest on assumptions about facts, context, and consequences. When these assumptions are flawed—through ignorance,

[18] Abū al-Maʿālī al-Juwaynī, *al-Waraqāt*, 30, https://shamela.ws/book/6297/24#p1.

pressure, or distortion—the result may bear the appearance of law while diverging from divine intent. This is what Ibn Taymiyya calls *al-sharʿ al-mubaddal*—the altered law. Lest this statement be misunderstood, let us note three beliefs of Ahl al-Sunnah that he states repeatedly:

- Allah has protected this *ummah* from agreeing on error in any matter.[19]
- The truth on any given matter falls within the four schools of Ahl al-Sunnah in general.[20]
- On matters of disagreement, the practice of commanding right and forbidding wrong guarantees that the truth eventually becomes evident to the scholars of the *ummah*.[21]

Seen in this light, disagreement among scholars is not a breakdown of authority but part of its preservation. For the nonexpert, this means that the truth is not lost, even if particular voices misfire. On established and widely known matters, guidance remains secure and accessible. Greater difficulty arises in novel cases (*nawazil*), where general principles must be applied to new realities. Here, errors are more likely—not in the law itself, but in its application. In such cases, the role of the informed believer is not to become a jurist, but to engage responsibly: to consult trustworthy scholars, to seek out those best equipped to understand the issue, and, where relevant, to contribute their own domain knowledge to clarify the facts.

The conclusion is both sobering and reassuring. Misapplication and even distortion can occur, but the *ummah* is not abandoned to them. Correction is built into its

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[19] This is the foundation of the principle of consensus. This is established by the fact that Allah has declared this *ummah* witnesses unto humankind (2:143), which guarantees the probity, that is, validity, of the testimony, of the *ummah* and its scholars. See Ibn ʿĀshūr's *tafsir* of 2:143 (https://tafsir.app/ibn-aashoor/2/143), where he lists the opinions of scholars supporting this. This is supported by a few hadiths of uncertain authenticity, the well-known clause being "God will not gather this *ummah* upon error." In all narrations, another clause follows this declaration. See https://sunnah.com/tirmidhi:2167. The best proof of this principle, as noted above, is in the inference from the Qur'anic verses as noted above.

[20] Ibn Taymiyya, *Kitāb al-mustadrak ʿalā majmūʿ al-fatāwā*, 2:250, https://shamela.ws/book/10284/460.

[21] "The consensus of the *ummah* is truthful, for the *ummah*—and God be praised—does not agree on error, as God characterizes it as such in the Book and the Sunnah. God says, 'Ye are the best Community brought forth for humankind; ye command right, forbid wrong, and believe in God' [Q. 3:110]. The *ummah* is characterized as such because they command all that is right and forbid all that is wrong. . . . If the *ummah* held a doctrine in religion which was false, then it could not command right (as indicated in the verse) nor could it forbid wrong in that regard. [Hence the protectedness of the Community as a whole.]" *Majmūʿ al-fatāwā*, 19:176–77; 20:501.

life—through scholars, leaders, and conscientious believers who question, advise, and refine. To seek better guidance, to ask, to verify, even to challenge when something clearly contradicts what is known of the religion—these are not acts of rebellion, but part of the moral economy of Islam.

In short, the ordinary believer is not called to reconstruct the law, but to remain anchored to what is known, to resist manifest deviation when it appears, and to seek clarity through trustworthy scholarship when it does not. Where the line cannot be seen, one is not held accountable beyond one's capacity. And where the tradition speaks with clarity—through consensus or the settled inheritance of the schools—there is little risk of falling into what has been altered. The greater danger lies in the misapplication of the law to new and complex realities, not in its enduring foundations.

The examples that frame this essay—moral responsibility in the face of atrocities in Gaza, and the struggle to articulate Islamic norms on gender and sexuality—belong to a wider class of cases in which applying the law becomes difficult not because the law is unclear, but because we are divided, and because we inhabit a world not of our making. In such a world, where political power, economic structures, and cultural norms are often set by others, and where our own collective work of shaping a just moral order remains incomplete, the Qur'anic mandate of commanding right and forbidding wrong continues—but haltingly, unevenly, and at times painfully.

Tension arises when three elements fall out of alignment: the normative authority of the divine law, the limitations or assumptions of its interpreters, and the fractured reality in which that law must be lived. In such cases, a ruling may be formally sound yet fail to guide effectively—or even exacerbate harm—because the situation it addresses has been misread or only partially grasped.

These are not exceptional cases; they define much of our moral landscape. And it is precisely here that the Prophetic guidance we have traced becomes most urgent: The law must be honored and authority must be consulted, but neither relieves the

believer of responsibility. Where application is uncertain and consequences are grave, discernment is not a luxury—it is part of the test.

## Conclusion: A Discipline for the Confused Age

In nonideal conditions—where Islamic norms are partially obscured, cultural pressures distort perception, or legality and morality diverge—internal guidance becomes indispensable. It allows believers to act with integrity, discern the quality of authority, and avoid the pitfalls of corruption, manipulation, or inertia. The heart, trained by revelation and disciplined by reason, mediates between the universal and the particular, the textual and the lived, the timeless and the temporal.

Here are some guidelines that emerge from the discussion above.

1. Hold fast to what is clear. Do not doubt or relent on what Allah has made obvious.
2. Seek trustworthy scholars but do not outsource your heart. Their role is to guide you, not to replace your conscience.
3. Train your heart before you trust it. A heedless heart will echo desire, only a trained heart can recognize truth.
4. Pause when something feels off, even if it comes dressed in authority. A ruling that flatters your interests or your crowd deserves suspicion, not comfort.
5. When you encounter corruption among scholars, do not despair; for every compromised scholar that you know, there are hundreds, perhaps thousands, of truthful scholars and steadfast believers that you do not know. Trust in Allah's protection of this *ummah*. He has made the *ʿulamaʾ* heirs of the prophets.

6. Be humble enough to follow, but not so humble or spineless that you stop questioning. Ask, clarify, remind, learn. The moral life of the *ummah* depends on this feedback between scholars and believers.

7. Act when the need is clear even if your knowledge is not complete. When injustice is manifest, when the call to truth is unmistakable, hesitation becomes its own failure.

8. Accept that you will sometimes act without certainty. You are not judged for omniscience, but for sincerity.

9. Let your certainty be in Allah, not in your own conclusions. It is this certainty that steadies you when the world is unclear, when scholars differ, when outcomes are unknown. Uncertainty is part of the test, not a flaw in its design.

10. Love and uphold the divine commands that you know; Allah will open doors to what you do not yet know.

Ultimately, believers will be judged by the soundness of our hearts and sincerity of our actions; law is the means, not the end. Allah assures success to those who strive:

> "As for those who strive in Us, We will surely guide them to Our paths. And indeed, Allah is with those who do good."[22]

[22] Qur'an 29:69.