Acceptance of Information and Communication Technology (ICT) Use to Disseminate Islamic Fiqh: Enabling ICT Based Digital Fiq

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Abstract: *The existing study represents the significance and use of the digital technology in the way to ensure the provision of a broad platform for huge data integration and easy transaction of the information among human groups. In the contemporary era of globalization a speedy interconnectivity via use of the information and communication technology (ICT) secure the investment of time and the rapid penetration of ICT turned down the remote distances and made world as a global village. The use of ICT became a norm of days in the each institution as education, commerce, banking, medical science and digital voting etc. And as the current study is concerned with the significance and practice of the electronic Fiqh or digital Fiqh that is the need of time to materialize an immediate mobility of the Islamic Fiqh via an online means. Although the emergence of Islam as a global religion despite it lacks the poor infrastructure to share and disseminate the Islamic knowledge in a wireless means. The present study encompasses an environment for an electronic fiqh (E-Fiqh) and its dissemination by means of the adoption of an online technology. The viewpoint of electronic Fiqh is unlike to computer based Fatwas but it is concerned with an infrastructure and a framework for Muslim scholars (Ulama) to make Fatwas collaboratively. This study discusses the potentials of information and communication technology (ICT) for the development and growth of the Digital-Fiqh.*

Keywords: ICT, Digital Fiqh, Islam

1. Introduction

Islam is the faith of a totality of life as it guides man in the each institution. As a religion of completeness and finality of all faith it provides guidance to Muslims in the every department of life (Mohamed, 2004). Henceforth, Islam is to be documented as complete pattern of living and a believer is to be guided by its teaching in an individual's physical and metaphysical aspects (Chandio, 2019). In this perspective, Islam ensures the provision of main source of knowledge in the form of Sharia (Holy Quran and Sunnah) as Muslim prefers to assign their lives to implement the injunction of the main sources to meet criteria of life in the every department of survival. The Quran is referred to as the word of God which is the finality of all revelation which revealed on the last prophet of Islam Hazart Muhammad (pbuh) whereas the Sunnah is the complete living pattern of the prophet (pbuh) as it is concerned with His the saying and actions (El-Geyoushi, 1991). The significance and development of the Sunnah based knowledge has been documented after the demise of the Holy Prophet (pbuh) which is portrayed in the form of Hadith Sayings of the prophet.

Fiqh is said to be as Islamic jurisprudence to represent the concept of the human understanding of the sharia and the chief source of the Islamic law reveals in the form of Islamic sharia that contains the Holy Quran and Sunnah (Chandio, et al., 2019; Frank, 2000). The development and expansion of the sharia is based on the Fiqh which mobilizes through interpretation of the Ijtehad (Analogical deduction) of the sharia (Holy Quran and Sunnah) by Muslim jurist (Ulema) and is brought into practice the jurists legal decree (Fatwas) by the ruling class (Islamic state). Fiqh meets with the rituals observance, ethics social legislation in a political system and Islam as well. An Islamic verdict is said to be a Fatwa as a recognized authority gives the judgment on a point of Islamic law. All Islamic verdict (Fatwas) have been based on the Islamic knowledge and its main sources and the Islamic verdict (Fatwa) is issued by an Islamic scholar (Ulama) traditionally. The dynamic nature of the issues related to man in his/her society in the stage of history has been resolved by the Islamic verdict (Fatwas) which always issued answers to all times. However, different and Varity of the interpretations of the Islamic texts or religious sources as Holy Quran and Sunnah highlight main problem and challenges to Islamic verdict (Fatwas) (Frank, 2000; Mohamed, 2004). Quran is the main source of knowledge and Sunnah has numerous diverse resources which can be classified under main four schools of Fiqh and these schools are named after their founders for instance Hanefi, Maliki, Hanbeli, and Shafii shools of Fiqh. In theses school of thought apply the reference of Fatwas accordingly by their followers. the chief reason behind the rise of theses fifferernt school of Fiqh is unlike to political issue but the founders of the each schools of Fiqh accomplished their Islamic verdict (Fatwas) based on the Islamic knowledge they have at their disposal.

In the existing study, it has been brought into discussion the use of technology in the contemporary era of the scientific age to disseminate the Islamic Fiqh via main server ensure the provision of the data to enquirer. The deficiency of e-government technology in the way of the dissemination of the religious values is the dire need of time in which information and communication technology (ICT) can play main role to provide sources to interconnect the enquirer to server to resolve the dynamic issues in the modern time. Islam is a rational and scientific faith that can adopt the internet and modern technologies not a less than others religious groups which can assist to proves an easy theological approach. The lack of communication between

those Imams has also contributed to issuing variant Fatwas to similar issues and the main cause of their variant Islamic verdict (Fatwas) was because of the scarcity of the knowledge management practices. There are numerous challenges also faced by few Muftis who possess the digital access due to lack of training and scientific approach. Digital muftis appropriate the classical markers of authority while often lacking any training in the sources of that authority and each individual posts an istifta a request for a fatwa, in a search for authoritative information that is often uneasy to find (Smith, 2011). There are various difficulties in the way of the adoption of the information and communication technology (ICT) in Pakistan in which social, political, economic, cultural and religious itself create hurdles in order to introduce electronic government system (Chandio, et al., 2018). In this connection, there are number of challenges of the social, political, economic, religious, and technological and education factors to turn down the adaptation of e-government and its initiatives and implementation in the Muslim world that can turn down the digital Fiqh and mobility in its process.

2. Difficulties in the way of tradition Islamic verdicts (fatwas)

The Islamic verdict (Fatwas) has been usually carried out by the Islamic scholars who possess the depth understanding of Islamic knowledge. The Fatwa issuers must possess the basic qualifications and he seeks the Islamic decree through the reasoning via different sources of Islamic knowledge. According to intellectuals the process of the Islamic Fatwas must be assigned those who strictly adhere the fundamental tenets of the faiths as an individual (Islamic Jurist) must possess the traits and Qualification as perfect belief on the oneness of God (Tauheed), Finality of prophet hood (Katum-e-Nabuwat); there is no prophet after the Hazart Muhammad (pbuh) and he must be the mastering Arabic language and rationalistic approach of an Islamic jurist and he must rely on the reasoning and having the resources of Islamic knowledge.

The process of issuing islamic verdicts (fatwas) can be described via the prophetic tradition hadith of Muaz bin Jabal (RA) that was sent Muaz bin Jabal (RA) as his a delegate to Yemen as an administrator that how he would administer the matters referred to him Muaz bin Jabal (RA) His reply that he would judge according to the provision of Holy Quran. At the occasion Holy Prophet (pbuh) then asked him that how he will deal if he does not find a definite ruling in the Quran. He replied that he would solve matter via Prophetic Sunnah. Once again the Holy Prophet (pbuh) asked, if you do not get a definite solution there. Muaz bin Jabal (RA) replied, that he would do his level best to form an opinion and apply the sense of reason. Holy Prophet (pbuh) of Allah then patted him on the breast and said praise is to Allah to find a thing which pleases the Messenger of Allah "let it be the model for all the rulers (and the judges) of the world (Al-Mawardi). The adoption of the traditional and social values by the conquered lands by Muslims as it becomes an easy process to new converted Muslims to introduce their old rituals and social and historical traits in Islamic living pattern that results to contradict and allowed to erupt certain challenges in the Fiqh to sustain purely Islamic literature to materialize Fiqh accordingly.

Although the system and mechanism for issuing Fatwas is very understandable and clear according to the earlier tradition of prophet, however every so often Islamic verdict (Fatwas) carry out vary based on the referred school of Fiqh. Henceforth, an individual can arrive to false conclusions concerning why there are numerous prevailing schools thoughts in the science of Fiqh? Was such scenario in a real sense because of vary and diverse religious interpretations of the Islamic scriptures as (Quran and Sunnah) or was it due to political conflicts of the early times where each faction envisaged its way of the religious interpretation. Probably majority of the historians and researcher accept as true that early interpretation was except towards the sectarian difference and it is the most influential factor and create a forum to resolve the dynamic issues and can assist to interpret the Islamic sources. But, it is believed to be deepened to an option of the differences, other than it is unlike to the chief reason of having diverse schools of thoughts in Fiqh. It is considered the major grounds for the phenomenon as the underprivileged and poor communication between Ulamas (Muslim scholars) during Fatwa, and secondly the lack of unified authentic sources to interpret and resolve the issue. Having remoteness and geographical differences between early Muslim scholars (Ulamas) seized them to interconnect and exchange information, experience and opinion to conclude consensus Fatwas. For instance, Hanifi School rooted in the Turk regions, Iraq, and subcontinent while Shafi School maintained its existence at Iraq and Egypt and Malik Fiqh arose in the form of Maliki sect in the Arabia.

The founder of the Hanbli school Hazart Imam Ahmed bin Hanbal (RA) authenticated tradition of the prophet (Ahadith) sent by Hazart Imam Shafi (RA) via a message. According to Ibn Kathir, the muslim jurist Hazart Imam Safi (RA) addressed the founder of the Hanbli school of thought Hazart Imam Ahmed bin Hanbal (RA) by saying, that he Send him any tradition of the prophet as he authenticates recently so they can act upon the tradition (Ibn Kathir). Moreover, once Hazart Imam shafi said that he will be guided with any authentic tradition of Holy Prophet (Hadith) even it contradicts with what Fatwas as he subjected earlier. In this perspective it clarifies and produce an indication to a fact of why there different school of Fiqh in the Form of the various sects. Every of the guide or Muslim scholar or jurist (Imams) has concluded his Islamic verdict (Fatwas) based on what he was aware of Islamic knowledge. In addition, there are various causes behind the rise of the different Fiqh in the Muslim Society.

3. The adoption of Information and communications technology (ICT) applications

Information and communications technology (ICT) is to be defined as the use of technology in the way to handle information and aid communication. It refers to such technologies to be used for the transmition of information in its multidimensional form (Chandio, et al., 2018). Information and communications technology (ICT) encircles the use of numerous

facilities for instance television, mobile phones, and networked PCs to sustain information generation and broadcasting among various groups of people who are not necessarily sharing the same place. Information and communications technology (ICT) disseminates the information and assures speedy interconnectivity and through telecommunications have been used to carry out the accessibility of information. There are numerous ICT applications can be applied to sustain the interconnectivity and communication between the concerned participants for instance videoconferencing, electronic mail, and chatting systems. In this perspective, existing study anticipate the possible use of the Information and communications technology (ICT) to facilitate the introduction of a computer-based Fiqh that can said to be electronic Fiqh (E-Fiqh).

The chief reason behind the electronic Fiqh (E-fiqh) is to make capable the Islamic scholars to make a platform for their Islamic verdicts (Fatwa) and envisage extensive resources of Islamic knowledge. Though, digital Fiqh (electronic -Fiqh) is unlike to marginalize the certain concept of the different schools of thought in Fiqh or to initiate distinctive solutions to diverse cases relating to, the major cause of electronic (E-Fiqh) framework is to facilitate and enable learned (Muslim scholars) to portray their Islamic verdicts (Fatwas) form far-reaching resources of Islamic knowledge (Mohamed, 2004). In addition, Information and communications technology (ICT) can ensure the provision to Muslim jurists the infrastructure to make mutual Islamic verdict (Fatwas) where Fatwas have been delivered supported on numerous views of various religious scholars. The Islamic verdict on the legal point recognized by an authority in Islam is said to Fatwa which is beyond the abilities of a few scholars and jurist due to complexity in nature of a issue and it requires a collaborative initiatives (Suyanta, 1998).

4. Digital-Fiqh and Proposed Framework

The use of the Information and communications technology (ICT) infrastructure has been approached in this framework of the digital Fiqh or electronic Fiqh. The success of the structural framework is based on the availability of communication technologies and information processing capacity and on the correct configuration of two aspects. While communication technology provides digital communication between different participants, and information processing capabilities provide powerful IT services to electronic Fiqh users for the use, criticism and exchange of Islamic knowledge.

5. The users of Digital-Fiqh

Digital Fiqh or electronic Fiqh users are classified as: public users, single ulam and ulam assigned to Islamic institutions. Digital-Fiqh (electronic Fiqh) users can be grouped as public users, individual Ulama (religious scholars) and jurists assigned to Islamic institutions. Those individuals who are the enquirer and seeker of the Fatwas can be said to be public users and such people or users are unaware and uninformed regarding the depth of Islamic reasoning and knowledge and they lack the skills to deliver the Fatwas in order to solve their issues. Such category of the digital Fiqh users can be described as Muqaledin (follower). Individual Ulams are independent self-employed religious scholars (Ulamas)n and they are not affiliated with any Islamic research or educational institution. In this way these users includes competent guide or imams and retired Islamic scholars. The last category of users the electronic Fiqh are Ulamas communities and such ulama can be associated with Islamic research and educational institutions, which usually hold face-to-face discussions on fatwa.

6. Technical Infrastructure of Digital-Fiqh

The technical infrastructure encompasses the software, hardware and communication technology through which the digital fiqh (electronic fiqh) approach is implemented. In this way, communication technologies comprise the adoption of the internet, extranet, intranet, and application of a web in a wireless nature. And the use of such technologies encircles the transmission of a speedy information and super information highway of information systems. Software technologies provide the processing services needed by target users. Information technology (IT) services depend on computer communications to be implemented via adoption and use of (Computer Supported Collaborative Work) practices.

Computer Supported Collaborative Work has become a research area to assist in order to comprehend and design systems for a collective use (Schuler, 1998). likely it can be interpreted the technology to be a facilitate provider that can ensure the provision of facilitation collaboration between communities of practice. As a Computer Supported Collaborative Work (CSCW) application, digital fiqh (Electronic Fiqh) can be expected to give an important role in the release of Fatwa, offering religious scholars (Ulamas) functionality for group and individual discussions. These group discussions can be synchronized via online discussions or video conferences. Group discussions can also be asynchronous via electronic mail (email), for instance.

What is also very important for creating and setting the digital fiqh (electronic Fiqh) is the mass of knowledge and information that is transmitted in which main server ensure the feedback. In this perspective, there are number of the online Fatwas institutions in pakistan as they provide the electronic fiqh solutions for instance Jamiah Arabia Ahsan-Ul-Uloom and Dawat-e-Islami also adopted the IT applications to issue the Fatwas online means and answer the questions of people via digital way. The adoption of the digital technology like wireless web in the way to issue the online Fatwa which goes through a process as it starts with the user accessing to main server or website or its smart application. When the user enters his question and mobilizes to ask personal information, as it is to be sent a welcome message with the reference number of the question. A link is then made to the content management system for processing, including the following, distribution, response, religious review, approval, amendment, publication, and archiving. The rich source of knowledge regarding the Islam should be easily accessible to online

Fiqh users. Islamic knowledge is a broad in a perspective that needs to be codified and digitized in order to form vast integrated resources for Muslims, collective life and institutions.

Our approach aims at the transition of Islamic knowledge, which was originally justified by geographical and political boundaries, directed by various schools of thoughts in Fiqh, to the creation of unlimited and transparent Islamic knowledge. As in the figure, a widened database is provided that contains all the true sources of Islamic knowledge and its transition. All the religious scholars (Ulamas) discussions and debates are also archived and stored in the database. Such sort of Islam knowledge provides a history of fatwas and its stored reasoning. The use of the ICT applications can assist to expect to support the digital fiqh users and the applications contain the search engines, electronic mail system and synchronous/asynchronous collaboration environments. The Search engines can provide capabilities to inter the keyword to be matched, attribute-based input to context-sensitive search. Moreover, forming collaborative fatwas, the facilitations of ITC processes as email can be used to establish a personal relationship between researchers and religious scholars (Ulemas) they can be at a wide distance and remote area of the world.

7. Obstacles and Remedial measures

The rising obstacle in the extensive use of the digital technology in the transmission of the online Fiqh in Pakistan results the poor accessibility of an enquirer to meet the timely solution of a problem according to Islamic teaching. It is a fact Muslims backwardness in the science and technology that created number of hurdles to propagate the Islamic values and true picture of Islamic teaching at a global level. In this way, scarcity of the ICT literacy among the Muslim scholars turn down the poor expertise in the ICT technology in order to apply the application in the best interest of the dissemination of the Islamic faith. Moreover, there are certain hurdles in the way of the propagation of the Islamic Fiqh via an online means in the contemporary era human civilization. The proliferation of the Islamic education all over the Muslim world in the earlier period was based on the traditional process outdated method of a bookish oriented propagation and it was curtailed and away from the use of ICT technologies and lack of the communication tools (Al-rahmi, et al., 2017). In this context, researcher urges to adopt the ICT applications to be created an environment in which Islamic resources may be converted to digital modules that can be easily distributed around the world (Hosseini et al. 2014). lack of the government support in a Muslim majority state and collective initiatives of the Muslim scholars towards the adoption of the digital system can be considered as a significant hurdle in the way of electronic Fiqh processing. It is a core of debate in the third world nations and Muslim world investing hug finance on the information and communication technology (ICT) infrastructure and development of science. Security's crisis have emerged as the main challenges for the triumph of electronic Fiqh in which online misinterpretation and contradiction of the viewpoint allow to emerge the obstacles to success the digital system in the various schools of Fiqh. The use of the misinterpretation of the religious Fatwas by the terrorist and they adopted the phenomenon of e-jihad except the interpretation of Islamic fundamental teachings accordingly.

The development of technology is speeding at an unprecedented rate at a global level but it highlights the existing Islamic scholars unable to read and write the basic terminologies of the science and technology and they are unaware to ICT use. the equipping the Pakistanis Islamic learning spheres and mosques with the adoption of the technology like ICT infrastructure under the jurisdiction of the government as a model to be adopted in the Islamic online Fiqh processing and digital Fatwas. Obviously, it can be emphasized that there are number of traditionalists to oppose to such a modern way of broadcasting Fatwas (Mohamed, 2004). The essence beyond the electronic Fiqh (e-fiqh) is a computer supported not a computer directed and it is a key antecedent to motivate the traditionalist to support this contemporary approach. The issuing of a fatwa requires a collaborative initiatives and collective consensus due to complex nature of a issue thus it becomes a difficult for a scholar to reach a conclusion individually. In this means, an individual's fatwa is less in significance and weight and rightness than a collaborative Fatwas to be carried out by collective initiatives of religious scholars.

8. Conclusion

The adoption of the ICT infrastructure is the dire of need in the each department and every day of life in order to ensure the provision of a speedy accessibility and interconnectivity. Unfortunately, initiatives are still underway regarding the use of the ICT applications in the field of Islamic knowledge management. This study aims to discuss the dire need of the use if the Online technologies in the way to improve the Islamic knowledge and dissemination of the Islamic fiqgh through a wireless web. in this perspective, digital Fiqh can assist the to process the fatwas via adoption of the ICT technologies and Computer Supported Collaborative Work practices in this domain. The main goal of introducing digital fiqh is to make Muslim scholars able around the world to promote their dialogue through the use of Internet structures and it allows the Muslim scholars of the different schools thoughts to participate, and Fatwas process in order to make it more effectively.

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