9516 - Should the easier fatwa be followed?

the question

I know that the normal people are to ask people of knowledge about issues that they do not know and that we are to follow the opinion of someone we trust. However, how do we select between fatawaas of two or three different 'aalims each of whom we trust and who are known for their knowledge and piety and the 'aalims themselves respect each other. So if we select the easier one of the fataawas, are we liable ? Please clarify this important issue.

Detailed answer

Praise be to Allah.

It is not permissible for you to follow the easier fatwa, rather you have to fear Allaah and not follow your own desires. You should be determined to follow the truth even though it may be bitter to you. With regard to muftis (scholars who issue fatwas), you must look at two important matters

1)Their taqwa (piety), awareness of Allaah and righteousness Their knowledge .

These two matters are essential to the mufti. They are like the wings of a bird; one is no use without the other. If you see visible signs of righteousness in the mufti, and you can see enough of his awareness of Allaah and piety to make you feel reassured that whims and desires will not lead him to speak about Allaah without knowledge or contrary to the evidence (daleel), then this takes care of the first matter. If we add to that what you can see of his knowledge of the shar’i evidence and his understanding, this will make you feel confident about his fatwas. If you find another who is like him or is close to him in knowledge and taqwa, but he gives a different fatwa, then you have to look for something that will make you feel that the truth is with one of them, such as when one of them mentions and refutes the evidence of the other.

A mufti is like a doctor. Do you not see that some doctors are more knowledgeable than others? Don’t you feel more comfortable with one than another, because you see that he is more

concerned with diagnosing your sickness properly, so he listens to your complaints carefully and asks lots of questions related to your sickness. Whilst you may see another doctor who is in such a hurry to take a decision that this makes you complain about him, and he may give you medicine that has nothing to do with your sickness. Just as you try hard to choose the right doctor to treat your body, so you must also try hard to find the right mufti, who is the one who you think will help you to keep your religious commitment sound, even if it is bitter to you.