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Defining the calling to Islam in Europe: The European Council for Fatwa and Research's interpretation of Islamic *daʿwa*

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Abstract

This paper provides a point of view on Islamic *daʿwa* (inviting to Islam) as interpreted in the European context by the European Council for Fatwa and Research (ECFR), the centre established in 1997 to deliver religious and legal guidance to Muslims in Europe. By using the approach of global Islam studies (GREEN 2020), the paper's goal is to look at the modern development of *daʿwa* as a multipurpose tool that shapes the role of Muslims in Europe, as well as the relationship between Muslims and non-Muslims and the way the Islamic message is conveyed. As the paper's conclusion illustrates, *daʿwa* is a complex concept, especially in countries where Islam is a minority religion. If it is taken as a matter of proselytizing, then the ECFR does not prioritize conversion of non-Muslims over other goals. Instead, the act of spreading Islam among Muslims and non-Muslims in Europe is the way to keep the community together, to read the Islamic tradition in a novel way, to change the perception of European Muslims, to fight Islamophobia, and to find a place as a minority religious community. The study is based on the analysis of European Council for Fatwa and Research publications between 1997 and 2020. The first section of the paper provides the theoretical framework used to frame the topic in scholarship. Therefore, it presents a short introduction to the concept of *daʿwa* as shaped by classical sources to the present day. The article then provides an analysis of the ECFR's interpretation of the concept by drawing from the texts and context. Before the conclusion, the last part discusses how the Council's interpretation of *daʿwa* is shaping contemporary Islam in Europe.

Key words: Islamic *daʿwa*, Calling to Islam in Europe, Global Islam in Europe, Islamic law, Muslim minorities

Introduction

This paper deals with the interpretation of Islamic *daʿwa* (calling to Islam) provided by the European Council for Fatwa and Research (ECFR), established in 1997 in London at the initiative of the Federation of Islamic Organisations in Europe (FIOE)[1] and some global Muslim leaders such as Yūsuf al-Qaraḍāwī. The analysis has been conducted on the *al-Majalla*

1 The Federation of Islamic Organisations in Europe is an umbrella NGO, with hundreds of member organisations across the European states, founded in 1989. Today it is known as Council of European Muslims, https://www.eumuslims.org/en/home/, last retrieved 30/10/2023.

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al-ʿIlmiyya li-l-Majlis al-Ūrūbī li-l-Iftāʾ wa-l-Buḥūth, the ECFR's journal, which contains essays collected during the annual sessions, non-binding legal responses (Ar. *fatāwā*), resolutions (Ar. *qarārāt*) and recommendations (Ar. *tawṣiyāt*) produced by the Council's members. The study also considered other Council publications such as articles posted on its website. The Council's production analysed here dates from the period between 1997 and 2020. Most of the sources analysed are in Arabic, scattered among the Council journal and digital media, i.e. a website and an application for mobile phones.[2] In the interpretation put forward by the ECFR, the conversion of non-Muslims to Islam appears to be one of the primary objectives, along with safeguarding communities of believers, protecting the claim of religious groups in a multicultural context, or envisaging an instrument to legitimise Muslim presence in countries with a non-Muslim majority.

The aim of this paper is to analyse the role of Islamic *daʿwa* in the ECFR by using the approach of global Islam studies, that is, by highlighting the global processes that are transforming contemporary Islamic religion and the environment surrounding Muslim communities, and vice versa. Indeed, globalization has changed the way religions are lived, taught, and spread, but, at the same time, Muslims and Islamic institutions play a key role in the social, political, economic, cultural, and religious spheres with the result of shaping global contemporaneity. Besides the approach presented in global Islam studies, another methodology has been used to analyse the interpretation of Islamic *daʿwa* in the ECFR's production. This latter approach has been theorized by Critical Muslim Studies.[3] It entails mainly considering the Islamic religion as dynamic and as an integral part of the contemporary historical process, away from its supposedly ahistorical character. Further details about the methodology used in this work are provided in the dedicated section below.

Drawing from previous scholarship (MALIK 2018, CASCINO 2021 and 2022), my attempt here is to frame the ECFR's production regarding Islamic *daʿwa* in a new perspective, i.e., with the aim of highlighting the effort of Muslim scholars and Islamic institutions to shape a novel role for themselves as religious actors in European societies. Their agency indeed triggers change in many ways.

Scientific literature has paid some attention to the concept of Islamic *daʿwa* in recent years. While few scientific works addressed the issue until the 2000s (ARNOLD 1896, POSTON 1992), more attention has recently been devoted to *daʿwa*, with different approaches and in different degrees. As the author of one of the first works to establish the complexity of *daʿwa*, Racius deserves recognition for being able to grasp and fully restore the diversity of aspects contained in the Islamic invitation (RACIUS 2004). However, it was Kuiper that provided the most comprehensive book with a historical approach and succeeded in including the Islamic concept into a modern, global framework. By compiling the different phases of Islamic *daʿwa*, Kuiper shed new light on the period 1950-2020, when Islamic calling became "increasingly polycentric and multi-directional" thanks to "an accelerating globalisation or transnationalisation of *daʿwa* movements, actors and discourses" (KUIPER 2021: 212). With

2 During the session held in November 2018 in Istanbul, Turkey, the Council launched an application for mobile phones called *al-Dalīl al-fiqhī li-l-muslim al-ūrūbī* (Euro Fatwa in English). The application is currently available in four languages – Arabic, English, Spanish, and Italian.

3 https://criticalmuslimstudies.co.uk/about-us/

a combined historical-political approach, Malik and Weismann have also offered an overview of Islamic *daʿwa* by offering several examples of invitation to religion in the modern era (WEISSMAN & MALIK 2020).

Some relevant elements have also been provided by studies that were not primarily concerned with calling to Islam. Besides works on Salafi strategies of calling to Islam in Europe (WIEDL 2009; OLSSON 2014), focus has been devoted to *daʿwa* among the Muslim Brotherhood, in Muslim and non-Muslim countries alike (LISNYANSKY 2017; MELLOR 2018). Other studies on the global Islamist movement across Europe and the United States mentioned the practice of calling to Islam (MARECHAL 2008; VIDINO 2010; BAKKER & MEIJER, eds. 2012), with a minor focus on its role in the global context. Conversely, studies of Islamic law have provided relevant insights into *daʿwa*, especially in the field of Muslim minorities' jurisprudence (MARCH 2009; RYAD 2009; DE ANGELO 2013; VERSKIN 2013; SHAVIT 2015; MALIK 2018). Moreover, research that has examined the European Council for Fatwa and Research, whilst not explicitly exploring *daʿwa*, has proven instrumental in contextualising the interpretation of the Islamic call within the wider framework of the Council. Consequently, such research has played a valuable role in understanding the organizational dynamics and function of the Council (CAEIRO 2011 and 2013; LARSEN 2011 and 2018).

As for the research approach, GREEN (2020) applied the method proposed within global studies to the contemporary history of Islam, tracing the Islamic world's past as an integrated whole in a globalized present.

A compass to navigate contemporary Islam

Two approaches are emphasized in this study: one from global Islam scholarship, and another from Critical Muslim Studies.

The first approach, provided by global Islam studies, has been used to examine how globalisation and certain specific events have affected the way Islam is presented to the Muslim community and to the general population. A multifaceted approach to the spread of religious ideas involves taking into consideration the numerous connections and channels through which they are spread. While new transport and communication technologies enabled religious institutions and actors to reach global audiences more easily and faster than before, Muslim migration to Europe and North America after WWII created diaspora populations that needed proper religious services and guidance. As Green pointed out, "[…] global Islam has been produced and distributed by small but active minorities, albeit minorities who are able to make maximum use of the power of networks, communications, and, in some cases, state policies and resources" (GREEN 2020: 139).

The European Council for Fatwa and Research represents a small but active group that over the course of its twenty-five-year history has attempted to influence the way in which Muslim people perceive their role in Europe. As shown in the scholarship, Muslim scholars have been discussing the presence of Muslims in Europe since 1960, considering it both legitimate and necessary (DE ANGELO 2013). The Council joined this trend and continued to advance it by making a relevant contribution to giving *daʿwa* a prominent role in the jurisprudence of Muslim minorities. However, a few major scientific studies have questioned the

Council's reach and appeal (SHAVIT 2022) based on a quantitative study of the ECFR's fatwas adopted/implemented by Muslims in Europe. These studies challenged the outcome of the Council's ambitions for hegemony among European Muslims, which is not as high as emphasised in the literature. Indeed, the ultimate limit is lack of organizational resources, particularly noticeable when surfing the Council's English website.[4] However, while the ECFR's fatwas and resolutions may not guide the individual daily choices of Muslims, the Council's activities have been having a deep impact on other levels. Reshaping the Islamic message in Europe is one of the areas in which the ECFR contributed the most. This effort does not come out of nowhere, though. The Council is engaged in dialogue with the European and global contexts, either chasing or anticipating the contemporary issues of radicalisation, religious extremism, peaceful coexistence. As shown below, the ECFR's interpretations of Islamic *daʿwa* have been developed since its foundation, in line with a globally increased attention towards the way of conveying the Islamic religious message in the contemporary era. Notwithstanding, there have been specific times in its twenty-five years of activity when *daʿwa* got more attention, especially when terrorist attacks were carried out in Europe or the United States. After 9/11, for example, Council members, along with the President al-Qaraḍāwī, questioned the way Muslims were conveying religious messages towards their co-religionaries and non-Muslims (BADAWĪ 2005; al-LĀFĪ 2005; al-QARAḌĀWĪ 2004).[5] Also, after the terrorist attacks in Europe of 2015 and 2016,[6] Council sessions were devoted to these topics under the titles of "Fiqh al-ʿaysh al-mushtarak fī Ūrūbā" (The Jurisprudence of Coexistence in Europe) and "Hady al-islām fī iqrār al-salām wa-l-amān wa-dafʿ al-ẓulm wa-l-ʿadwān" (The Islamic guidance for establishing peace and security and preventing oppression and aggression). During both sessions, ECFR members discussed a number of related issues such as peaceful coexistence and extremism. This data may be read as an interaction, albeit a partly forced one, between the ECFR and the context. Likewise, the interaction is a two-way flow. In order to challenge the waves of islamophobia that followed the terrorist attacks, the Council made an effort to question its role in promoting peace and coexistence. But they went further, reshaping the way Islamic *daʿwa* must be considered. Rather than

4 https://www.e-cfr.org/en/ (last retrieved 11/07/2023). It should be noted that the Council also has other means of communication. Firstly, the Arabic version of the website is more updated than the English one. Besides social media such as Facebook, Twitter, Youtube and Instagram, plus a mobile application. Overall, Arab or Arabophone users can have total and better access to the Council's work.

5 Al-Lāfī is not a permanent member of the Council but did participate in its work during the ordinary session which was held in London in 2004. It is not unusual for the ECFR to host reflections from other scholars, regardless of their religious affiliation. For instance, Olivier Roy, a professor at the European University Institute in Florence, Italy, took part in the regular 2006 session held in Istanbul, while Lena Larsen, a researcher at the Norwegian Center for Human Rights, participated in the 2014 session which took place in Istanbul. In addition, Maurits S. Berger, a professor at the Dutch University of Leiden, attended the ordinary session hosted in Sarajevo in 2007.

6 Here, the reference is made to the series of jihadist attacks that occurred in European countries in those years, including the assault on the Parisian headquarters of the French satirical newspaper, *Charlie Hebdo*, that resulted in the loss of twelve lives in January 2015. https://www.consilium.europa.eu/en/infographics/terrorism-eu-facts-figures/, last retrieved on 10 October 2023. However, it must be noted that jihadist attacks did not solely occur in Europe, as a matter of fact, the majority of such incidents in 2015-2016 happened outside European territories, https://www.visionofhumanity.org/maps/global-terrorism-index/#/, last retrieved on 10 October 2023.

being solely a defensive mean, calling to God has become an opportunity for Muslim minorities all over the world, according to the ECFR's interpretation. Such a two-way interaction is the process described in Green's book as 'global Islam', which "comprises the different forms of Islam disseminated by activists, organizations, and states that made effective use of the mechanisms of globalization. This means that global Islam is neither the sum nor the outcome of fourteen centuries of Islamic tradition. Rather, it is the result of attempts to reform, reject or occasionally recover such traditions in response to a century and a half of intense interaction with non-Muslim states, societies, ideas, and institutions" (GREEN 2020: 131).

Moreover, in analysing the ECFR's production some specific elements of the methodology proposed by Critical Muslim Studies have been used, such as questioning the categories and concepts used to understand Islam so far. The latter approach is meant to not ignore the heritage of Islamic religious studies, but to re-read it critically by questioning its suitability to current circumstances. Applied to the present research, this approach is based on the belief that Islam is strongly dynamic, and that producing new interpretations is instrumental in bringing about changes in the religious phenomenon and in its relationship with the contemporary world. It means contributing to the history of contemporary Islam by avoiding essentialism and placing it in relation to the global character it possesses.

This approach leads to a few other considerations related to the present research. First, it prevents us from considering the ECFR's work as a simple offshoot or a branch office of the political and religious movements from the West Asia and North Africa (WANA) region, i.e. the Muslim Brotherhood and the like. Even though many of the Council's members were or still are involved in political and religious groups in WANA countries, they are fully aware of the specific context in which they find themselves acting. In fact, differences among Council members in terms of age, charisma, language, and training make the ECFR a multifaceted body (CAEIRO 2011: 89).[7]

In Amīn al-Ḥazmī's words, the only Council member based in Italy, being a minority in the European setting represents more of an advantage than an obstacle, as he strongly emphasised during our interviews in 2019.[8] Rather than implementing a foreign agenda, ECFR's members make use of the opportunity of being a religious minority in a quite liberal environment.[9] The ECFR's effort at reshaping the Islamic message must be read in this light. It is precisely because the Council speaks for and to a minority that its agency must not be underestimated. Questioning the ways *daʿwa* is conducted and building a new ethic of calling to Islam in Europe is a driver of change for the Council and for the entire *umma*. In this sense,

7 More specifically, some Council members have backgrounds and contacts outside the WANA region. For example, the current President, Suhaib Hasan Abdul Ghaffar, has British citizenship but was born in India. Similarly, the current Secretary General, Husssein Halawa, is of Egyptian origin but spent years studying in Pakistan. Nevertheless, members from WANA countries make up the majority, which is why I made this clarification about ideological affiliation to movements in the region. It is also worth noting that despite the diverse composition of the Council, Arabic remains the most widely used language for internal and external communication.

8 Interview with Amīn al-Ḥazmī at the Islamic Cultural Center of Brescia (via Corsica, 361-Brescia), Italy, October 8, 2019. Translation from Italian into English has been made by the author.

9 The debate surrounding the degree of liberalism present in secular democracies throughout Europe is extensive, however it is not the focus of this paper. Instead, this sentence solely presents the concept put forth by al-Ḥazmī.

a small group of Muslims are trying to adapt a religious cornerstone, such as the Islamic *daʿwa*, to the context by introducing new elements and perspectives.

Secondly, in a very connected world, the ECFR's effort has gone beyond European borders. Some of the Council's fatwas and resolutions triggered a worldwide debate because they were somehow breaking the tradition. Among those, permission for a Muslim woman to stay married to a non-Muslim man[10] (MBUTHIA 2018, SHAHAM 2018: 125-144) or permission for Muslims to join European armies[11] (NAFI 2004: 78-116). Many of these decisions have been inspired by the need to find a balance between respecting and safeguarding religious law and relieving the hardship of Muslim people in Europe (CAEIRO 2011: 133). However, the ECFR's controversial statements opened a debate and shed light on the importance of the Islamic call. According to al-Qaraḍāwī and the Council's members, for the sake of the *maṣlaḥa*, i.e., the legal concept of 'general good' or 'public interest', religious laws may be waived. In this context, the *maṣlaḥa* is represented by the Islamic *daʿwa*, understood as a means to safeguard the community and to strengthen the relationship within the *umma*, but also to build a relationship with non-Muslim people.

Third, avoiding essentialism while studying Islam also entails considering the complexity of Muslim populations in Western Europe. Although most of them have a migratory background, there are also converts and generations with little to nothing related to foreign countries. Their specific situation must be considered in the general picture and in studying Islamic *daʿwa* as well. For example, ECFR members paid great attention to removing possible obstacles to new converts in many fatwas and resolutions.

From classical sources to the 20th century: a brief history of the Islamic *daʿwa*

Daʿwa, in its general sense of a call to the way of God, is commonly known to be an obligation of all Muslims (Q. 16:125). The Islamic invitation plays a crucial role in Muslim minority law and in the fields of study regarding Muslim migration (*hijra*). As pointed out by March's studies, "almost any contemporary treatment of the *hijra* question will involve some references to *daʿwa*" (MARCH 2009: 71). Despite *daʿwa*'s major role in such fields, the concept of calling to Islam is as old as the religion itself. In the Qurʾān the term *daʿwa*, from the Arabic verb *d-ʿ-w*, is used with other meanings alongside the more specific one of invitation to religion. In fact, according to the Fluegel Index, as reported by Racius, the term *daʿwa* occurs more than a hundred times, so the act of referring to the divine Message is only one of the meanings present in the Text (RACIUS 2004: 31). Among them, the word *daʿwa* is used for the act of praying (Q. 2:186; 10:89).

The Qurʾān also mentions those who perform *daʿwa*. In addition to the believers, whose invocation is translated with the all-embracing term of prayer, the Prophet Muḥammad is also

10 Resolution 3/8 *Islām al-marʾa wa-baqāʾ zawjihā ʿalā dīnihi*, available at https://tinyurl.com/52dfsyen, last retrieved on October 10, 2023.

11 Fatwā 8/27 *al-Inḍimām ilā l-quwwāt al-musallaḥa fī Brīṭāniyā*, available at https://tinyurl.com/3uhads3v, last retrieved on October 10, 2023.

repeatedly referred to by the appellation of *dāʿī*, the one who invites (Q. 33:46; 46:31-32). Therefore, Muḥammad's mission on Earth consists in calling and inviting his community to religion, to submission to God. A further verse in the Qurʾān refers to the concept of calling to religion as an indication of the right path: "You call them to a straight path" (Q. 23:73).[12] The verse insists on Muḥammad's role and his task of showing people the way: in this sense, the Prophet's *daʿwa* is equated with the right path, the *sharīʿa* (WALKER 2009: 34).

The Qurʾān presents three types of actors for *daʿwa*: God, prophets/messengers, and mankind. In fact, the term *daʿwa* is used in reference to man's prayer to God, the call of divinity to mankind, and the action of men, whether prophets or not, to invite their brethren to follow religion. If the first two categories seem clear enough, the last one appears more controversial when it comes to who, according to the Qurʾān, should lead the invitation to Islam after the Prophet Muḥammad. Indeed, the debate about the interpretation of verse 104 of the *sūra* "al-ʿImrān", which says "Be a community that calls for what is good, urges what is right, and forbids what is wrong: those who do this are the successful ones", is still going on, i.e., whether it should be considered an individual or community duty.[13]

The invitation to religion is also recalled in the *Sunna* of the Prophet. Among the many prophetic traditions mentioning the invitation to Islam, a Muslim's *ḥadīth* tells of the value attributed to *daʿwa* and the reward reserved for those who carry out this action. Abū Hurayra (7th century) reports that he who calls people to righteousness will receive the same reward as those who follow the right path. Likewise, he who invites error will bear the same guilt as those who commit such an error.[14] The Prophetic *Sunna* also mentions converting people to Islam as a specific duty for Muslims. In another tradition compiled by Muslims, Abū Hurayra repeatedly invited his mother to convert to Islam, without obtaining any result other than contempt for the Prophet and his Message. After complaining to Muḥammad, Abū Hurayra heard the Prophet invoke God's help to resolve the matter.[15]

However, the *Encyclopaedia of Canonical Ḥadīth* by Juynboll contains only two accounts under the heading 'Invitation', both handed down by the Meccan Sufyān Ibn ʿUyayna. The second one concerns the call to Islam made by some Muslims engaged in a mission, who came across a non-Muslim man, unaware of the Islamic religion. They invited this man to embrace Islam or, alternatively, to be prepared for death. The narrative ends when the Muslims allow this man to say goodbye to his entourage made up of camels and women, and then kill him (JUYNBOLL 2007: 598). The invitation to religion becomes obligatory when a Muslim meets a person of another religion. More precisely, the prophetic tradition claims that those who do not know Islam are exempt from guilt. However, after an explicit invitation to conversion, responsibility falls on the one who does not respond positively to the call.

12 All the translations of the Qurʾān are taken from *The Qur'an*. Translated by M. A. S. Abdel Haleem. 2004. New York: Oxford University Press.

13 An extensive literature exists on the institution of the *ḥisba*, the act of commanding right and forbidding wrong. See COOK 2004.

14 https://sunnah.com/muslim:2674, last retrieved on 09/04/2023.

15 https://sunnah.com/muslim:2491, last retrieved on 09/04/2023.

Islamic *daʿwa* in the classical law scholarship relates mainly to the political context, i.e. to territorial disputes in favour of a party, a family or a dynasty in a broader sense. The classical legal texts belonging to the genre of *siyar*, namely the conduct to be adopted in relation to other communities, were composed starting in the 8th century AD.[16] According to this scholarship, the world was divided into two: *dār al-islām*, the place where Islamic laws were applied in peace and security; *dār al-ḥarb*, the territory in which it was not possible to apply the laws of Islam. Non-aggression pacts, *dār al-ʿahd,* could be in place between these two poles, providing temporary peace.[17] This antithetical division of the world was not present in the Qurʾānic text, which, however, specifies that the mission of the Prophet Muḥammad was to guide mankind to the right path. Classical legal sources inform us that refusing to accept this call represented the *ius ad bellum* for which a war or a battle could be considered just. Abū Yūsuf (729-798), disciple of Abū Ḥanīfa (699-767), in his "Treatise on Taxes" (*Kitāb al-kharāj*) describes in detail the methods of invitation to Islam and the circumstances in which it must be conducted (YŪSUF 1979). However, the "Treatise on Taxes" fits into a specific historical moment in which Muslims were living in a phase of territorial expansion, which is why Abū Yūsuf focuses on how Muslims must conduct themselves in battle.

During the Abbasid period there were numerous examples of *daʿwa* activities, especially during the governments of al-Qādir (991-1031) and al-Qāʾim (1031-1074). The caliphs also engaged the main theological-juridical thinkers of the time to guarantee political-religious legitimacy. Generally speaking, during the period of the Abbasid dynasty (750-1258) there was a strong need for the caliphs to define their legitimacy, also from a religious point of view, probably because there were threats to the stability of the caliphate. The symbol of this political-ideological operation is represented by "The rules of government and the protection of religious matters" (*al-Aḥkām al-sulṭāniyya wa-l-wilāyāt al-dīniyya*) by Abū al-Ḥasan al-Māwardī (972-1058). The text insists on the role of the caliph and the emir with regard to the protection of religion, both within the same community of Muslim believers, and with regard to the *daʿwa* activities addressed to those who still do not know the message of God and the Prophet. As reported by al-Mawārdī in the "The rules of government", the presence of a government in charge of controlling the economic and social aspects of the community relieved the individual Muslim of his individual duty, thus making the task of *daʿwa* a community duty (*farḍ al-kifāya*) (LAOUST 1968: 34).

Although the focus of this research is the Sunni *daʿwa*, it should be remembered that also the Shiite *daʿwa* was flourishing, especially in the period of the foundation of the Ismaili dynasty of the Fatimids (9th-10th century AD). Even after the fall of the Fatimid empire (11th

16 From the root of the verb s-y-r "to move", "to leave", the term has a generic and a technical meaning. The former denotes a particular form of behavior handed down in the biography of a person who has become a model. Indeed, the singular form (Ar. *sīra*) usually refers to the biography of the Prophet. In the plural, however, it is used for the lives of saints or to narrate reports of military campaigns, hence the technical meaning regarding the conduct of behavior to be assumed in relation to other communities. This technical meaning of the term came into use starting from the second half of the 8th century, through the works of the scholars of the Ḥanafi legal school, especially al-Shaybānī (d. 804) and Abū Yūsuf (731-798).

17 On the differences in the interpretation of the categories of *dār al-islām*/*dār al-ḥarb* in the various legal schools, see ABOU EL-FADL 1994.

century AD), the Ismaili *daʿwa* remained constant and allowed the survival of various communities in the Middle East and beyond.

A relevant contribution to the study of *daʿwa* in the pre-modern era comes from Abū al-Walīd ibn Rushd (1126-1198), also known as Averroes, who, in addition to being a great philosopher, made a significant contribution to the development of the jurisprudence of the Mālikite school. In his text, "Primer of the Discretionary Scholar" (*Bidāyat al-mujtahid wa-nihāyat al-muqtaṣid*), he stresses the importance of promoting the call to Islam. In the chapter dedicated to the *jihād*, he recalls how all the scholars agree in claiming the invitation to religion as a *kifāya* (community) duty. Furthermore, the first condition for a war is that the invitation to the Islamic religion must first be addressed to the enemies, even if there is no agreement among scholars on the number of invitations to be addressed (IBN RUSHD 1983: 441-449).

In the classical period the invitation to religion was also analysed by the Tunisian historian Ibn Khaldūn (1332-1406). Despite not being part of the juridical-religious tradition, in his "Introduction" (*Muqaddima*) he highlights the difference between the wars fought by Muslims, therefore originating from the desire to defend or spread the religion, and the battles undertaken by other populations. Starting from this consideration, Ibn Khaldūn argues that there are two ways of founding a dynasty: exploiting a momentary weakness of the current dynasty, or inciting the people through propaganda. The latter way can also include religious propaganda, if it turns out to be functional for the purpose of conquest (IBN KHALDŪN 1967: 128-140)

Later, during the Ottoman Empire (14th-20th century AD), the spread of the Islamic religion found new life thanks to territorial expansion and slow Islamization. Although fewer sources exist regarding the call to religion during the Ottoman period, it can be argued that even before the renewed interest in Islamic *daʿwa* that emerged at the end of the 20th century, the call to Islam still maintained a relevant role despite the Ottoman Sultanate marking a period of general crisis in Islamic history. For example, the *daʿwa* of ʿAbdulhamid II (1842-1918) took on a systematic form with the sending of emissaries across the empire with the task of preaching the Islamic religion and, at the same time, submission to the Sultan. In fact, rebellions were frequent in many areas of the empire, above all in Mesopotamia and Yemen, so the attempt to appeal to Islam as a unifying factor for an empire which was then in pieces prompted the Sultan to organize the sending of 'missionaries', who, however, also acted as spies and emissaries of the central power.

From the late 19th century there was an intensification of activities and debate around the invitation to Islam. Factors that influenced this growth included the major spread of Christian missions in Islamic countries and the colonial threat that introduced new cultural and religious systems into colonized countries with a large majority of Islamic tradition. The Ottoman Empire's slow decline favored colonial powers' penetration of its territories. Even in the Islamic lands washed by the Indian Ocean, Christian missionaries first, and the British advance later, had the effect of intensifying *daʿwa*. In 1927 Muhammad Ilyas al-Kandhlawi (1885-1944) founded the Society for Teaching and Propagation (Jamāʿat al-Tablīgh) in India. Ilyas emphasized the duty to invite peripheral Islamic communities - especially minorities - and non-Muslim neighbors to the way of God. He organized a group of members and sent them around the country to build a network of mosques and Islamic schools. His interpretation of *daʿwa* was to call for intensified religious practice through prayer and moral conduct.

The spread of the movement was rapid: by the mid-1940s, Tablīgh were present in many countries of the Indian Subcontinent, and ten years later in Europe and Africa.[18]

The increasing interest in the spread of Islam should be read primarily in the framework of the internal dynamics of the history of modern Islam and the need for reform that arose from numerous elements, including - but not limited to - the impact of missions and colonialism. Indeed, the Islamic revivalism of the 19th and 20th centuries went far beyond the cultural rejection of ideas introduced by colonialism. As stated by Kuiper,

> the first root of the modern resurgence in da'wa is the long tradition of scripturalist reform in Islam itself. That is to say, modern da'wa is not first a reactionary phenomenon, but something internally generated. Closely related to this is the old Islamic notion and experience of tajdīd (renewal). (KUIPER 2021: 74)

One example of associations that arose in the wake of the reformist current was the Society of Invitation and Guidance (Jam'iyyat al-da'wa wa-l-irshād) of Rashīd Riḍā (1865-1935), founded in 1911. Despite numerous promotion efforts, the association failed to carry out major projects and remained an almost empty shell for several years until it was finally closed. In the thinking of the Muslim Brotherhood, founded in Egypt in 1928, *da'wa* was also primarily understood as an obligation to the community of believers: it was indeed a call for the practice and observance of religious obligations (prayer, fasting, ritual almsgiving) in order to restore a system of religious values and norms in all aspects of public and private life, at the individual, family, community, and institutional levels.

Calling to Islam in non-Muslim countries

Even though the application of Islamic law for Muslims living under non-Islamic forms of government has been a topical issue since the classical period, the massive emigration from Islamic countries to Western Europe and the United States over the last century led to the creation of large Muslim communities in the countries of arrival and boosted a reflection on Islamic law for Muslims who have settled in non-Muslim countries. The outcome of this debate is what is today called *fiqh al-aqalliyyāt* (minorities law) in Arabic. It started around the permissibility of Muslim settlement in Western countries according to Islamic law. However, since the 1980s, the number of topics related to the Muslim presence in Europe and the US has increased along with the debate about the methodology and the outcome of the *fiqh al-aqalliyyāt*. So far there is not one unanimously accepted definition of this branch of *fiqh* and its very nature is still rather controversial (DE ANGELO 2011). Even though the legitimacy of a specific *fiqh* for Muslims living in non-Muslim countries is still not accepted by some parts of the *umma*, many councils have been established in order to meet the guidance needs

18 According to several studies, the growing global popularity of bottom-up Indian styles of *da'wa* may be attributed to the similarities between the situations of many Muslims worldwide and those of India's Muslims. The term *disestablishment* refers to the removal of Islam as the official public religion of the Mughal Empire, relegating it to the status of one of many options in the colonial religious marketplace (KUIPER 2018: 6). This statement is generally true, but it does not apply to Western Europe, where Muslim communities formed by migration did not experience the same *establishment* moment.

of minorities in Europe and the US. Those councils produce novel interpretations by seeking a balance between text and context. As was pointed out, "people living in non-Islamic countries asking for opinions on Islamic law are producing (or at least stimulating the production of) Islamic law" (DE ANGELO & TOLINO 2017: 152). As for the elaboration of fatwas (non-binding legal opinions, Ar. *fatāwā*), both the person who asks for the opinion (Ar. *mustaftī*) and the jurist who elaborates it (Ar. *muftī*) ought to be considered actors of change.

In the present study the focus is on jurists and scholars engaged in meeting the needs of Muslims in Europe. Indeed, the field of *fiqh al-aqalliyyāt* has acquired a degree of institutionalisation thanks to local and international Muslim juristic councils such as the European Council for Fatwa and Research, the American Muslim Jurists Association (AMJA), the Fiqh Council of North America (FCNA), the Islamic Fiqh Academy, al-Azhar, etc. In spite of that, most of the prominent figures involved in the debate have or had some affiliation with modern movements of political Islam in Muslim-majority countries, and their activities and stances have a transnational dimension as most of them are broadly known all over the world thanks to mass media.

Adapting Islamic law to a minority context comprises focusing on the principles of the law itself. Among the main elements of the *fiqh al-aqalliyyāt* there are principles such as *ḍarūra* (necessity),[19] *taysīr* (facilitation),[20] and *talfīq*.[21] (SHAVIT 2022: 344-349) Those principles make part of the majoritarian approach in the the jurisprudence of minorities defined as *wasaṭī*. The *wasaṭiyya* is a Qurʾānic concept referring to the Islamic *umma* in the well-known verse 143 of the *sūra* "al-Baqara". The term *wasaṭiyya* should be understood as the right means and comes close to what is virtuous and easy. Alongside the goal of facilitating Muslims' lives, the *wasaṭiyya* approach aims to encourage the spread of Islam through the *daʿwa*.[22]

The institution that has most embodied the *wasaṭī* approach in the development of the *fiqh al-aqalliyyāt* in Europe is the European Council for Fatwā and Research, which produces jurisprudence in the form of legal opinions (fatwas), resolutions and essays. The ECFR was founded in 1997 at the initiative of the Federation of European Islamic Organizations (FIOE) and was led by Yūsuf al-Qaraḍāwī until 2018.[23] Although the periodic sessions are held in different European cities, including in Turkey, the official ECFR headquarters are located

19 Principle of necessity, be it social, economic or of any other nature, that jurists must take into consideration when interpreting sources.

20 Principle of facilitation, according to which the state of difficulty leads to a process of facilitation whereby the legal interpretation of difficult situations should be aimed at making the life of the believer less difficult, where possible.

21 To use transversally the interpretations of different legal schools which, taken individually, would invalidate a decision, but through the process of the *talfīq* legitimize a decision according to Islamic law. s.v. *talfīq*, in *al-Mawsūʿa al-Fiqhiyya al-Kuwaytiyya*, Wizārat al-Awqāf wa-l-Shuʾūn al-Islāmiyya, Volume 13, 2nd edition, al-Kuwaīt 1990, pp. 293-294.

22 The motto of the *wasaṭī* approach scholars and institutions is *al-taysīr fī l-fatwā wa-l-tabshīr fī l-daʿwa*, namely the facilitation in issuing fatwas and the act of inviting to Islam without highlighting firstly—or, in some cases, only—the negative aspects of the religion, such as fear of divine punishment, the threat of the consequences of actions or frustration, rather emphasizing hope and promises (KASSĀB 2006: 244-248).

23 In November 2018, al-Qaraḍāwī was replaced by ʿAbd Allāh al-Judayʿ, Iraqi by birth, British citizen and former vice-president of the ECFR. Al-Qaraḍāwī died a few years later, on 26 September 2022.

inside the Islamic Center of Clonskeagh, in Dublin, financed by the al-Maktoum Charity Foundation, founded by shaykh Ḥamdān Ibn Rāshid al-Maktūm, deputy sovereign of the emirate of Dubai (CAEIRO 2011: 83).

Originally conceived as a temporary council, the ECFR was intended to make up for the absence of Muslim jurists in Europe, oscillating between the effort to cultivate Islamic religious subjectivity and the need to integrate Muslim communities in Europe. The public discourse carried out by its members as well as the jurisprudence produced is often marked by the tension between revivalism and the promotion of integration (CAEIRO 2010: 435-449). This tension emerged from the theoretical elaboration of Islamic *daʿwa*. By building on the idea of missionary migrants, ECFR founders aimed at interpreting the duty of calling to Islam in a novel way. In their interpretation, residing in non-Muslim countries represents a chance, or even a need, to convey the religious message. The point is not to convert to Islam at any cost, even because the ECFR's main efforts are still oriented towards the *umma* itself, the community of believers. Actually, the aim is to shape a new ethics for Islamic *daʿwa* and a novel role for Muslims in Europe. European Muslims—especially the new generation—create the demand for a legal interpretation that can meet current needs and challenges, including the way the religious message is conveyed. During its twenty-five years of activity, the Council has gone even beyond the idea of its late Deputy Chairman Fayṣal Mawlawī, who in 1987 elaborated the concept of *dār al-daʿwa* (the abode of *daʿwa*) in search of a new definition for territories such as Europe and the United States, which had become destination countries for a large community of Muslims (MAWLAWĪ 1987). Similarly, Ṭāḥā Jābir al-ʿAlwānī, founder of the Fiqh Council of North America, stated that "Because the message of Islam is universal, non-Muslim countries should be regarded as *dār al-daʿwa* (the Abode of Proselytizing)" (SHAVIT 2015: 424).

Indeed, ECFR members build their interpretations mainly on the Islamic tradition elaborated in Muslim countries, while their thinking is oriented towards Muslims in Europe, which means that the words and means to spread the religious message are chosen to fit a European public.

How daʿwa is shaping Islam in Europe

The close relationship between the minority condition and the invitation to religion on the one hand and the need to reform the Islamic message on the other is found in the final declaration (*al-bayān al-khitāmī*) of the 31st Council session, held in December 2020 under the title "The jurisprudence of the Islamic presence in Europe between its shariatic objectives and its jurisprudential principles" (*Fiqh al-ḥuḍūr al-islāmī fī Ūrūbā bayna maqāṣidihi al-sharʿiyya wa-uṣūlihi al-fiqhiyya*). The first resolution (*qarār*) of this session concerns the main points (*munṭalaqāt*) for adapting Islamic jurisprudence to the presence of Muslims on the continent, a sort of general guidelines. One of them mentions the dimension of the universality of the Islamic message (*al-buʿd al-kawnī li-l-risāla al-islāmiyya*). These main points are illustrated in more detail in the requirements (*muqtaḍayāt*) section, which contains the principles on which the legal interpretation (*ijtihād*) and the production of fatwas on issues relating to Muslims in Europe are based. Among the *muqtaḍayāt*, the fourth one is the responsibility (*masʾūliyya*) of believers in making their religion known (*al-taʿrīf bi-dīnihim*) in

order to achieve mutual knowledge (*al-taʿāruf al-mutabādal*), to strengthen the bonds of co-existence (*tawṭīd awāṣir al-ʿaysh al-mushtarak*), dialogue (*al-ḥiwār*) and cooperation (*al-taʿāwun*).[24] On the basis of this Council declaration, it is possible to make some claims. First, quite obviously and in accordance with Islamic tradition, it is the responsibility of Muslims in Europe to spread the Islamic message. Second, spreading the religious message in Europe clearly has other goals than simply converting the person invited to Islam. Third, the adaptation of Islamic jurisprudence to the European context should be based on this framework, i.e. whenever the members of the Council make an effort to interpret the Text and the context, their interpretation should be guided and oriented to facilitate the responsibility of Muslims to spread Islam. Although this resolution was adopted during the 2020 session, it should not be thought that this position was a novelty at the time. In fact, it has been a constant feature of the Council's work since it was established.

Indeed, since the very beginning of the ECFR's activities, conveying the religious message has been an important objective mentioned in the early documents. As shown above, among the foundational principles of the *fiqh al-aqalliyyāt* in Europe and the US, there was the claim that residing in non-Muslim majority countries would be an opportunity for believers to spread the word of God. This was the first step to legitimize the Muslim presence in Europe and the US. However, when the ECFR was founded at the end of the 1990s, the number of topics related to the Muslim presence in Europe and the US had already increased. Almost each of the new topics that emerged during the twenty-five years of ECFR activity was interpreted bearing in mind the balance between safeguarding Islamic tradition and promoting Muslim integration. Yet, more than the quest for balance, *daʿwa* was the key principle that guided the members of the Council.

In 2008, the ECFR issued a resolution involving the possibility for Muslims to obtain mortgages in Europe. In confirming the prohibition of usury, as declared in the Qurʾān (Q. 30:39 and 3:130), the Council invited European Muslims who need to buy a house to find viable alternatives to the interest-based financing system. Therefore, reference is made to products such as the *murābaḥa* or, also, to the possibility for Muslims to associate and set up a banking institution that follows the financial rules of the Islamic religion. However, if none of these possibilities is available, the Council states that the Muslim can proceed with a loan from a European bank. Among the reasons provided by ECFR scholars for this derogation, mention is made of the need (*ḥāja*) for Muslim communities to improve the quality of their life in Europe. By doing so they could devote themselves better to providing a positive image of Islam, to deepening one's religion and to serving the community. Therefore, the Council highlighted Muslims' responsibility to spread the Islamic message in Europe. This approach takes into consideration community objectives relating to *daʿwa*. The duty of *daʿwa* allows for the derogation from otherwise prevailing religious rules, such as access to financial instruments, that do not comply with Islamic rules.[25]

24 ECFR final statement of the thirty-first session, *Fiqh al-ḥuḍūr al-islāmī fī Ūrūbā bayna maqāṣidihi al-sharʿiyya wa-uṣūlihi al-fiqhiyya*, available at https://tinyurl.com/5n6hrhn2, last retrieved on September 27, 2023.

25 Resolution 2/4 *Ḥukm shirāʾ al-manāzil bi-qarḍ bankī ribawī li-l-muslimīn fī ūrūbā*, available at https://tinyurl.com/yz5bdre5, last retrieved on September 27, 2023.

The possibility of derogating from the rules in order to spread the religion also appears in the fatwa on the language to be used for the *khuṭba* (sermon) in Europe. When asked by a community resident in Great Britain about the permissibility of giving the sermon in English considering that most of the believers present during the congregational prayer do not understand Arabic, the Council replied affirmatively. Since the objective of the *khuṭba* consists of teaching (*taʿlīm*) and guidance (*irshād*), taking into consideration the language of the recipients is fundamental, as claimed by the Qurʾān (16:35 and 14:4). On the other hand, most *fuqahāʾ* believe that there is an obligation to deliver the sermon in Arabic since it is recommended to include verses from the Qurʾān, traditions or even just mention the name of God in it. Even though these elements should be expressed in Arabic, the Council members considered the importance of understanding their meaning, which led to considering the legitimacy of a sermon in a language other than Arabic, thus legitimizing this possibility in the light of the teachings of the Ḥanafite school, the only legal school to contemplate such eventuality.[26]

This fatwa came a few years after the stance on the translation of the Qurʾān provided by ECFR member al-Shaykhī during the 2015 session. Indeed, al-Shaykhī affirms that the duty of *daʿwa* is fulfilled when the recipient of the message is addressed using a language they know. Therefore, religious teaching, including revealed sources and related interpretations (including *khuṭba*), must reach the addressee in his or her mother tongue in order to reach a high degree of certainty (AL-SHAYKHĪ 2017: 175-177). However, the possibility of translating the Qurʾānic text into a language other than Arabic is a controversial issue also within the Council, as well as in the Islamic world. Indeed, during the 18th meeting of the ECFR, held in 2009, the members of the Council drafted a resolution according to which:

> Since the method of reciting the Qurʾān depends entirely on successive recitation, it is not permissible to write the Qurʾān in non-Arabic letters, either in whole or in part. The method of reciting the Qurʾān depends on the transmitted tradition, and its narrated rules are final. Writing the Qurʾān in any other language does not fulfil these conditions and leads to a distorted recitation. It is also forbidden to print, publish, or trade in the Qurʾān written in non-Arabic script. If it is impossible to read the Arabic text of the Qurʾān, especially in the case of non-Arab converts, when learning certain key chapters, e.g. al-Fatihah, then they are exempted from this prohibition and may have it transliterated, provided it is accompanied by a recitation by someone competent in Arabic. The texts should then be destroyed.[27]

Thus, when it comes to translating the Qurʾān, the Council appears reluctant. According to the essays presented in that session, written by Ṣāliḥ al-ʿAwd, the habit of writing the Qurʾān in the Latin alphabet to make pronunciation easier for people who are not familiar with the Arabic language has become quite common. According to the author, Muslims in the West risk losing contact with the Arabic language.[28] However, the main risk is that the Qurʾānic

26 Fatwa 1/12 *Khuṭba al-jumuʿa bi-ghayr al-lugha al-ʿarabiyya*, available at https://tinyurl.com/4mwp5wfx, last retrieved on September 27, 2023.

27 Resolution 5/18 *Iqnāʿ al-umma bi-taḥrīm «kitabat al-Qurʾān bi-ʾl-ḥurūf al-lātīniyya»*, available at https://tinyurl.com/3tzxey6b, last retrieved on September 29, 2023.

28 AL-ʿAWD Ṣāliḥ, *Iqnāʿ al-umma bi-taḥrīm «kitabat al-Qurʾān bi-l-ḥurūf al-lātīniyya»*, essay presented

message may be distorted in the process of transliteration. So, in this specific case, ECFR members did not exert any leverage against the classical interpretation in order to broaden the message and prioritise *daʿwa*.

The attention for *daʿwa* on the European continent, highly encouraged especially in the *wasaṭi* approach, has led to an internal debate on the ways of inviting people to Islam, not specifically non-Muslims. In fact, the main effort of ECFR members has been directed towards believers themselves who are facing particular challenges from a social, economic, political and confessional point of view. In other words, the minority condition and the historical contingencies linked to the terroristic threats require, according to some ECFR jurists, a review of the invitation to religion addressed to Muslims first. For instance, in one of his essays, al-Ḥazmī, the only ECFR member based in Italy, calls for a reform of *daʿwa* in non-Muslim majority countries. He identifies six fundamental requirements for calling his co-religionists in Europe to Islam, based on a long journey of personal observation. The first requirement concerns the human side of Islam. The mufti traces the centrality of the human element in the Islamic religion starting from the numerous times in which the Qurʾān uses the terms *insān* (man) and *nās* (people), respectively 63 and 240 times, in addition to the fact that the seventy-sixth *sūra* is entitled "al-Insān". The human dimension translates into a feeling of brotherhood without distinctions of social position, skin color, language or wealth. The difference in religion, according to his stance, cannot be a justification for not respecting the human dimension of the Islamic Message: this clarification must be directed first of all to those Muslims who do not demonstrate solidarity except with the Muslims themselves (AL-ḤAZMĪ 2016: 199-213).

The prohibition of showing affection towards non-Muslims has its origins in some parts of the Revelation. The principle of *al-walāʾ wa-l-barāʾ* - amplified and exaggerated in Salafi and jihadist circles, translated as loyalty towards Muslims and disaffection towards all those who do not profess the Islamic religion - represents a limit to peaceful coexistence and is the result of a reading of the sources which fails to consider the context in which the Revelation occurred. From this consideration arises the second requirement of *daʿwa* in the European context, that is, the imperative to take into account the context of the Revelation of some verses of the Qurʾān, which have been interpreted as being contrary to peaceful coexistence (AL-ḤAZMĪ 2016: 203).[29]

The invitation to religion that al-Ḥazmī hopes for must be firmly embedded in the reality of the believer. Calling for Islam in Europe means focusing on the here and now of Muslims, without lingering on the ancient splendors of Islamic history, imprisoned in a past that leaves no room for the future. This third recommendation also urges not to create an Islamic imagination based only on the military expeditions of the *umma* and the victories achieved, almost as if in search of redemption in the face of a minority condition. On the contrary, a good *dāʿī*

during the 18th ECFR session, held in Dublin in 2008, available at https://tinyurl.com/2p83wtp6, last retrieved September 30, 2023.

29 More precisely, although the concept of *al-walāʾ wa-l-barāʾ* is central to Salafi ideology, to varying degrees and intensities depending on the religious actors, it did not prevent Salafi Muslim jurists from considering it legitimate to reside in countries with a non-Islamic majority. Indeed, the spread of the Islamic religion was considered a valid reason to reside among non-Muslims, according to the interpretation of Salafi jurists (DE ANGELO 2017).

is called to speak about the Revelation within the context in which it finds itself and with an eye to the future, avoiding remaining stuck in the past (AL-ḤAZMĪ 2016: 204). Likewise, based on the same principle, a further recommendation urges us not to linger in the details concerning the political and economic life of Islamic countries. Although the fate of Muslims throughout the world is a theme dear to the entire *umma*, the risk of focusing on geographical issues distant from European believers might distance them from the religion itself, especially in relation to the younger generations (AL-ḤAZMĪ 2016: 205). It is a targeted and necessary political disengagement, which would make room for new themes and issues, such as the principle of citizenship. This would be an opposite trend compared to previous generations of Muslims in Europe, who were more linked, however, to the political vicissitudes of Islamic countries, also due to personal paths.[30]

A further invitation to moderation also concerns the description of the reality of the *umma* in Europe. Avoiding extremism means building a religious message that does not exaggerate the corruption of European society to the point of stigmatizing it and, at the same time, does not give in to the easy temptation of commiseration due to the daily difficulties that believers face in Europe. Framing a true reality distant from the two extremes represents, for al-Ḥazmī, a fundamental requirement for *daʿwa*. Finally, the last recommendation for *duʿāt* (plural for *dāʿī*) in Europe revolves around the concept of morality. Although it represents a founding principle of the Islamic religion, it cannot become a prison for European Muslims. Those who invite to Islam have the task of encouraging moral responsibility in Muslims as a minority, particularly when exposed to historical contingencies. However, the moral imperative must be sought by believers as a realization of the divine Message and not interpreted as an imposition caused by the fact of being constantly under the magnifying glass (AL-ḤAZMĪ 2016: 206).

The principle of conveying the message also regulates the relationship between Muslims and non-Muslims, questioning the classical categories such as the complex, multifaceted concept of *jihād*. In an essay from 2005, Jamāl Badawī claimed that the world has become extremely interconnected. This makes constructive dialogue an imperative. He stresses that the religious sphere is also involved in this process. Intra- and inter-religious relations must necessarily be inspired by the search for dialogue. Beginning with this reflection, Badawī's aim is to clarify the issue of relations between Muslims and non-Muslims, given the many "false arguments" surrounding this issue, which have become widespread since 9/11. Among the principles of this relationship, he includes the invitation to religion, asserting that the one who is called has the full right to accept or refuse. This is consistent with the guidance of the Qur'ān, which excludes the possibility of coercion (*ikrāh*) from the permissible methods to spread the Message of Islam (*tablīgh risālat al-islām*). Furthermore, he makes it clear that those who invite to Islam have no responsibility for the outcome of their actions, that is, the actual adherence to the religion. To prove his point, Badawī quotes verse 48 of the *sūra* "al-Shūrā". This verse refers to the status of the Prophet as an admonisher who is not responsible

30 The idea of civic engagement in the European context—in the sense of participation, awareness and consciousness—is not a new one among Muslim scholars active in Europe. Tariq Ramadan and his theorisation of being a European Muslim in terms of religious and political engagement is one of the most prominent examples (MARCH 2007).

before God for the non-conversion and continued infidelity of others. The relationship between Muslims and non-Muslims, according to his interpretation, must be characterised by a universal, peaceful coexistence based on the two concepts of piety (*birr*) and righteousness (*qisṭ*.) He states that this idea of coexistence is functional for the spread of religion, echoing the words of Fayṣal Mawlawī: How can you invite someone to Islam if you have feelings of enmity or hatred for that person? Or again, if you are planning to wage war against him? Can one ever, in such a state, address an invitation with wisdom, good admonition and in the best way?[31] (BADAWĪ 2005: 37-46)

The same reasoning was used in the ECFR resolution on the possibility of wishing non-Muslims on non-Islamic holidays such as Christmas and Easter. In this case, the Council stated that it is permissible to wish non-Muslims happy holidays, especially in Western countries, in consideration of civic, family and friendship ties. The members of the Council encourage respect and kindness towards the non-Muslim majority in the light of this benevolent sentiment (the aforementioned *birr*). However, they make it clear that extending good wishes to non-Muslims does not imply any kind of approval (*iqrār*) or appreciation (lit. *riḍā*, satisfaction) of their religion. Rather, it expresses a sense of courtesy. Furthermore, there is a reiteration that good relations (*bi-ḥusn al-tawāṣul*) with non-Muslims are necessary in order to invite them to Islam: "This [being kind to all without distinction] is even more confirmed if we want to make *daʿwa* towards them, bring them closer to Islam and make them benevolent towards Muslims. This is our duty (*wājib ʿalaynā*). It cannot be achieved through mutual rudeness, but through good relations".[32]

Conclusions

The ECFR's interpretation of Islamic *daʿwa* is devoted to the *umma* itself and to the possibility of spreading the religious message to non-Muslims. Far from being primarily concerned with coming to Europe and actively campaigning for the conversion of European people, Council members are deeply involved in caring for Muslim communities and their religious needs and guidance. Shaping a peaceful and positive religious message is the primary need for ECFR members, as evidenced by their efforts to correct any mistakes and redirect religious speech away from any extremism. Scholarly literature has focused heavily on the concept of *dār al-daʿwa* (territory of invitation), which refers to the act of spreading Islam among non-Muslims in Europe. However, the conversion of non-Muslims to Islam is one of the aims of the ECFR, but not the only one. Or rather, the possibility of converting non-Muslims in Europe through active *daʿwa* was the issue raised during the development of the minority law to legitimise Muslims living in non-Muslim majority countries. The presence of Muslims in Europe was considered not only permissible but necessary for many reasons, including the spread of Islam outside Muslim-majority countries. But the context has changed since then. Islamic *daʿwa* towards non-Muslims is as important as the call for Muslims to

31 Badawī cites Mawlawī's 1999 text, *al-Mafāhīm al-asāsiyya li-l-daʿwa al-islāmiyya fī bilād al-gharb* (MAWLAWĪ 2006).

32 Resolution 3/6 *Tahniʾat ghayr al-muslimīn bi-aʿyādihim*, available at https://tinyurl.com/w38mjdah, last retrieved on September 29, 2023.

safeguard their religion, to improve the way they convey the message, to change their attitude towards the challenges of a globalised world and to reconsider their relationship with non-Muslims.

Analysing ECFR fatwas, essays and general production gives the opportunity to comprehend the dynamics within contemporary Islamic jurisprudence in a minority context. The conclusions reached here are not meant to depict the way lay Muslims conduct Islamic *daʿwa*, but how the concept is interpreted and presented to them by Muslim scholars. This may affect the way Muslims convey the religious message in their daily lives. However, proving that is not among the objectives of this article. Neither is it possible to reach conclusions on that by analysing the juridical production of the ECFR. The aim here was to analyze how Muslim scholars adapt their interpretation of Islamic *daʿwa* and how this process changes the role they are depicting for Muslims in European societies. Prioritising the invitation to Islam over other goals led scholars to derogate from more traditional Islamic rules, way beyond the permissibility for Muslims to reside in non-Muslim majority countries. Even though flexibility has been a stable characteristic of Islamic law over the centuries, the interpretation of Muslim muftis in Europe shows a large use of derogation. This tendency, along with devoting *daʿwa* firstly to the *umma* itself, shows that the jurisprudence for Muslim minorities today is deeply interconnected with the context, where European Muslims struggle to find a balance between accommodating secular rules and claiming religious rights as a community.

Studying religious texts in their context is key to achieving a deeper comprehension of modern Islam. Applied to this case of study, it implies reading the way *daʿwa* is presented and used as a principle in the context of global Islam. As noted, "the increasing use of normativity is both a phenomenon of globalization as well as a reaction to it" (MALIK 2018: 208). In the present case, the Islamic call has undergone a process of normativity which has increased in the last century due to many factors, including globalisation. Muslim scholars at ECFR are contributing to this process of normativity or juridification of Islamic *daʿwa*, even though talking about a jurisprudence of *daʿwa* (*fiqh al-daʿwa*) is still controversial (CASCINO 2022). Indeed, ECFR muftis and shaykhs are aware of the interconnectedness of the world and how it changes the way religions are lived. In a world where transport and communication technologies enable religious institutions and actors to reach global audiences more easily and faster than before, focusing on the Islamic call means enjoying the opportunities of globalisation, namely the possibility to take advantage of tools made available by the global context. However, framing the ECFR's interpretation of Islamic *daʿwa* within the global Islam does not mean that the Council's stance is shared by the majority of the Muslim population all over the world. Instead, it is produced by small, active minorities, such as Muslim scholars in Europe, and is spread globally thanks to the networks and resources made available by globalisation.

As for the reach of the ECFR's discourse on Islamic *daʿwa*, we argue that it is both local and global: it is local in terms of content, because it aims to address European Muslims by referring to their context and daily challenges; at the same time, it seeks to go global, to transcend regional boundaries and promote a global Islamic discourse that could engage Muslims around the world. Analysing modern Islamic *daʿwa* towards Muslims and non-Muslims

means critically reviewing the opposition between core and periphery within Islam.[33] Indeed, there are influential international centres that certainly lead the global Muslim community by providing Islamic learning to students from around the world, namely al-Azhar University (Egypt), the Islamic University in Medina (Saudi Arabia), or al-Mustafa International University (Iran). However, the outcome of these learning efforts is not always as expected, as the point of intersection between the global and the local leads to significantly different outcomes. First, the global Islamic discourse taught in the international centres has to negotiate with the local context. Second, the global Islamic discourse itself is shaped by the interconnectedness of people, thoughts and beliefs, and cannot be considered unidirectional, i.e. from the core to the periphery. Indeed, "the absence of long-established Muslim populations in Western Europe (and North America) meant that global Islamic organisations faced far less competition from existing Islamic religious establishments than they did in their original homelands" (GREEN 2020: 131). The relationship between the core and the periphery of Islam is thus an everyday negotiation.

In general terms, the aim of this article was to show how *daʿwa* represents the regulating principle of jurisprudence produced by the Council in the process of adapting religious rules to the European context. Clearly, the principle of *daʿwa* is highly complex and should not be simplified as mere proselytising. As a matter of fact, it is much more than that.

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Resolution 2/4 *Ḥukm shirāʾ al-manāzil bi-qarḍ bankī ribawī li-l-muslimīn fī ūrūbā*.

ECFR Fatwa 1/12 *Khuṭbat al-jumʿa bi-ghayr al-lugha al-ʿarabiyya*.

33 This refers to a core of Islam, which for centuries has been the Arab 'centre' in terms of religious authority, and the rest of the Muslim world, the 'periphery', including the Asian countries where most Muslims live. Whether or not Europe and other countries where Muslim minorities live should be considered as the core or the periphery today is a prominent question (BANO, ed. 2018; FORMICHI 2020: 237-263).

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