

## Abstract

This diploma thesis deals with the contemporary Islamic jurisprudence (*fiqh*) providing normative frameworks for Muslim minorities living in Europe. The Muslim minorities in Europe vary significantly in their ethnic, social, and religious background; yet in many cases they bring to Europe coherent system of ethical and legal rules. Nevertheless, these normative systems differ according to the country of origin and religious background of the respective minorities. Therefore, in Europe that is a constant struggle between the various interpretations of Islam and different Muslim authorities. The situation of Muslims living in the non-Muslim legal system is not regulated by the classical Islamic law and therefore jurisprudence is becoming the primary mechanism for dealing with normative issues. The key institute for contemporary Islamic jurisprudence is *iftā*, i.e. delivering fatwas in response to real or hypothetical individual inquiries. This diploma thesis argues that the traditional and established Muslim authorities, such as imams in mosques and muftis trained in the countries of origin, are increasingly being challenged by global Muslim authorities and individual interpretation of Islam. The ideological background of these newly established authorities range from the liberal Islam to fundamentalism and radical Islamism. Particularly the groups with broader ideological aspirations successfully use the Internet and other new media in order to establish themselves as interpretive authorities. Therefore, this thesis deals with the competing concepts of Islam in the European space and their various and oftentimes conflicting ideals on the problematics of the coexistence between Islamic law (*sharī'a*) and European legal systems. By doing so, this thesis analyzes the key fatwas of Muslim authorities producing the normative materials for Muslims living in Europe (e.g. European Council for Fatwa and Research,

Permanent Committee for Islamic Research and Fatawaa, Yūsuf al-Qaradāwī, etc.). It focuses mainly on fatwas issued in the field of matrimonial law, particularly those dealing with marriage and divorce. Drawing from analysis of more than 500 fatwas this thesis argues that among the various Muslim authorities in Europe prevails the pragmatic acceptance which strives for finding balance between the Islamic rules and the European legal systems. At the same time, this thesis deals with the emerging phenomenon of arbitration tribunals which are based on the principle of contractual freedom. These tribunals govern the cases between the disputing parties in accordance with the Islamic law yet fully within the framework laid down by the European legal systems. As a result, their decisions are integrated into the European law and enforceable by European civil courts.