

Republic of the Philippines )  
Bangsamoro Autonomous Region in Muslim Mindanao )  
**BANGSAMORO TRANSITION AUTHORITY** )  
Cotabato City )



**THIRD REGULAR SESSION**

Resolution No. 457

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*Introduced by* MP Dr. Alzad T. Sattar

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**A RESOLUTION URGING THE BANGSAMORO GOVERNMENT THROUGH HIS EXCELLENCY AHOD BALAWAG EBRAHIM TO INSTITUTIONALIZE A COLLEGIAL FATWA COUNCIL TO ASSIST THE DARUL-IFTA' IN ITS FORMULATION OF LEGAL OPINIONS (FATAWA).**

**WHEREAS**, Section 17 of Article XIV of the Philippine Constitution recognizes, respects, and protects the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions; and such rights be considered in the formulation of government plans and policies; and Muslims constitute the majority of Indigenous in the BARMM.

**WHEREAS**, the Preamble of the Bangsamoro Organic Law (BOL) states among others, that in order to establish an enduring peace in the basis of justice, balance society and asserting their rights to conserve and develop their patrimony, this should be reflective of people's system of life as prescribed by their faith, in harmony with their customary laws, cultures and traditions.

**WHEREAS**, Islamic institutions, culture and traditions represent the core heritage of the Moro people; and among these is the institution of Darul-Ifta' (office of the jurisconsult) as stated in Section 16 of Article X of the BOL

**WHEREAS**, the business of fatwa formulation is a serious and collegial function that should go through the process of shura (consultation) and ijma' (consensus) among the local ulama, especially the most eminent, senior and qualified among them, representative of the geopolitical and ethnolinguistic diversity of the region as well as the academias upon which overseas and local ulama and *aleemat* were trained.

**WHEREAS**, aside from bases from the Qur'an and the Sunnah, there should also be consideration for the different *madhahib ul-fiqh* (schools of jurisprudence), and local *urf* (tradition) and *adat* (culture) adhered to by the Muslims/Moros in the region.

**WHEREAS**, through the process on mutual and collegial consultation and consensus, fatwa formulation should result in unifying the Muslim community, respectful of the ulama consensus and where diversity of legal opinions is considered a divine blessing.

**FINALLY**, there is a sense of urgency to act on this matter so that fatwa formulation can be more proactive, inclusive and sustainable. This is also a matter of *bashaffāfiyyah* (transparency), *najā'ah* (efficiency) and *mas'ūliyyah* (accountability) integral to the realization of *al-Hukm al-Akhlāqiy* (Moral Governance) of the Government of the Day.

**NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, URGING THE BANGSAMORO GOVERNMENT THROUGH HIS EXCELLENCY AHOD BALAWAG EBRAHIM TO INSTITUTIONALIZE A COLLEGIAL FATWA ADVISORY COUNCIL TO ASSIST THE DARUL-IFTA' IN ITS FORMULATION OF LEGAL OPINIONS (FATAWA).**

*Adopted.*



**ALZAD T. SATTAR**

*Member of Parliament*