

# Islamiyat.

(6) Explain the various types and necessity of Sources of Islamic Shariah. How can it help in resolving the problems of contemporary world?

## 1. Introduction

Islamic sharia, the divine law of Islam, provides muslims with a roadmap for navigating the intricacies of life and build a justice system. The Islamic shariah is sourced from the Quran and Sunnah being the primary source of shariah, it covers all the problems and issues that are discussed in the Quran or Sunnah. Then comes the secondary source, this include Qiyas, Ijma and Ijtihad. This source of shariah is used for the contemporary problems of the world as the world dynamics and problems are evolving. Qiyas, Ijma and Ijtihad find out solutions and laws for the new problems in accordance of the primary sources. Then comes the tertiary source of shariah with the main function to compile, organize, and provide concise information about an issue from primary and secondary sources. These sources of Islamic shariah are of immense importance in resolving the problems of contemporary world such as the environmental challenges, the economic issues or let that be the resolution of conflicts between states.

## 2. Sources of Islamic Shariah

a. Primary sources.

i. The Quran.

its verses offer universal principles and teachings that address all aspects of life  
Surah Al-An'am (50) "And consult them in matters (of governance)."

## i. The Sunnah

Serves as practical examples of how to implement Quranic principles in daily life

“Let there be neither injustice nor reciprocal injustice.”

(Abu Hadith, Bukhari)

Justice and fairness to be held in Islamic law.

## b. Secondary Sources

### i. Ijma

The consensus of qualified scholars on legal ruling not explicitly mentioned in the Quran or Sunnah. historical consensus among scholars on prohibiting riba (usury) shows dynamic nature of Ijma

### ii. Qiyas

Analogical reasoning, Applying Quranic and Sunnah-based ruling to new situation with similar characteristics

early jurists' application of the prohibition on consuming intoxicants to other substances with similar harmful effects demonstrates flexibility of Qiyas

### iii. Ijtihad

The process of independent legal reasoning by qualified scholars to derive ruling on matter not covered by existing sources

Imam Abu Hanifa use of Istihsan to address specific market situations.

## c. Tertiary Sources

### i. Istihsan

Preference for a public good over strict adherence to analogy in specific situations

Imam Malik used Istihsan to allow land reclamation project even if they technically infringed upon existing property rights.

## ii. Ishhad

Presumption of continuity until evidence suggests otherwise

Use of Ishhad in contemporary inheritance cases to ensure rightful distribution of assets in the absence of clear evidence of change.

## 3. Necessity of each source.

a. Primary Source provides foundational principles and framework for Islamic Law

b. Secondary Source bridges the gap between the foundational principles and their specific situations.

c. Tertiary sources add nuance and flexibility in the framework of Islamic Law.

## 4. Islamic Shariah applications in contemporary conflict resolution

a. Islamic Shariah would bring justice and combat discrimination

Surah Al-Hujrat (verse 19) "O mankind, indeed we have created you from male and female and made you into nations and tribes that you may know one another.

Indeed, the most noble of you in the sight of Allah is the most righteous of you. Indeed, Allah is knowing and Acquainted"

applied to Shia & Sunni Conflicts (KSA & IRAN)

b. Islamic Shariah provides a framework to address poverty and income inequality.

Surah Al-Hashr (verse 7) "What ever you earn is given from

<sup>66</sup> Allah and wherever Allah causes you to gain war spoils from them Allah therefore distribute a portion of it between the orphans, the poor, the travelers so that wealth does not accumulate among the rich.

C. The Islamic Shariah focuses on sustainable practices and addressing environmental degradation hence solving the issue of climate change.

Surah Al-Qasas (verse 77)

"And do not corrupt on the land after its reformation and call (upon Allah) in fear and hope. Indeed, the mercy of Allah is near those who do good."

## 5. Conclusion.

The sources of Islamic law be that the primary, secondary, or the tertiary can solve any sort of conflict or challenge that has been disrupting the contemporary world. It is the understanding and application of these sources that would provide a navigatable road map for the world to come out of the contemporary complexities such as poverty, income inequality, climate change and economic disruption. Therefore by remaining rooted in the eternal principles while adapting to changing realities, Shariah can empower Muslims to contribute to a just and harmonious society, addressing present challenges and paving the way for a brighter future.

Q8) Explain ~~eth.~~ Write a brief note on;

a. Rights and status of women in Islam

1 Introduction

Before Islam, women were treated in an inhuman manner. The ~~peo~~ people of Makkah used to feel embarrassed if a girl was born in their house, and used to bury her alive. Beside this women were treated as properties, that used to be inherited, bought and sold, women had no rights even not to live. However when the light of Islam spread, it enlightened the lives of women by giving them unprejudiced rights and a high status. According to Islam men and women are equal, women shall be respected. In general, the wives shall be treated in the best manner while mothers shall be @ respected abundantly. It was Islam that gave women rights in those dark times, the rights Islam gave included but not limited to, right to live, Consent in marriage, education, re-marriage, divorce, financial freedom, inheritance and childrens custody. Thus the rights of women in Islam are very high and are given a status equal to men if not better.

2 Status of women Granted by Islam

a. men and women are equal

Surah Al-Imran verse 195

60 "I will not waste the work of any worker among you, whether male or female."

b. Islam orders to respect mothers.  
According to a hadith, when a person asked the Holy Prophet that who shall I treat with the best companionship: <sup>leg</sup> To this the prophet said your mother, when the person asked for the fourth time the ~~the~~ prophet said your father

c. According to Islam wives shall be treated well  
Ibn Maajah  
"The best of you is the one who is best to his wife, and I am the best of you to my wives."

d. Islam orders and Encourage to love daughters  
The Prophet's treatment of Fatimah R.A.

### 3. Rights of Women in Islam

a. Right to live

Surah Al-Maidah (5:32)

"Whoever kills a soul unless for a soul or for corruption (don) in the land - it is as if he had slain mankind entirely)

b. Right of having Consent in Marriage.

"A previously married <sup>women</sup> must not be married without her command and a virgin must not be married without her permission." (Sahih al-Bukhari)

c. Right to Education

"Seeking knowledge is duty upon every muslim (men and women)" (Ibn Maajah)

d. Right to re-marry

The Prophet Muhammad provided guidance and support for divorced individuals who sought remarriage.

e. Right to own Property

The Prophet Muhammad confirmed the right of women to own and manage their property independently, providing guidelines for inheritance and property rights.

4. Conclusion.

The status of women in Islam is highlighted by many verses in the Quran and Sunnah of the Holy Prophet. This elevates the status of women not only in Islam but also in the contemporary world where women face violence and harassment. Furthermore, Islam gave rights to women at times when women were just treated as property. This shows the significance and importance of women in Islam.

## b. Concept of Justice in Islam

1. Introduction

The concept of justice in Islam is a fundamental principle deeply rooted in its teachings. It permeates all aspects of life, guiding personal behavior, social interactions, and governance. The justice in Islam is categorized into Divine justice, social justice, judicial justice, ethical justice, restorative justice and prophetic model each targeting a different walk of life.

## 2. The types of Justice in Islam

### a. Divine Justice

Surah An-Nisa (4:40)

Indeed, Allah does not do injustice, (even) as much as an atom's weight

### b. Social Justice

Hadith (Bukhari)

"None of you truly believes until he does for his brother what he loves for himself."

### c. Judicial Justice

Surah Nisa (4:135)

"O you who have believed, be persistently standing firm in justice, witness for Allah, even if it be against yourselves or parents and relatives."

### d. Ethical Justice

Surah Al-Maidah (5:8)

"Be just; that is nearer to righteousness."



e. Restorative Justice :

(Ibn Majah) "A believer who associates with people and is patient with their annoyance will have a greater reward than the believer who does not associate with people and does not observe patience."

Conclusion

In Islam justice holds a significant importance, as muslims life depend on justifying his deeds on the last day of where Allah himself will ask and judge individuals. Therefore specific emphasis has been placed on self accountability in Islam.