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Batch: 74.

Question: No 1

Define 'Ijma' (consensus) and explain its different kinds. Highlight its importance in the light of Quran and Sunnah.

Introduction

Ijma is the united agreement of Muslim scholars on an Islamic issue. It is the third major source of Shariah, after Quran and Sunnah.

If the issue is not clearly mentioned in Quran and Sunnah, there is a need of Ijma to better understand the solution of an Islamic issue. Ijma helps guide Muslims by using

wisdom and understanding of qualified scholars. It ensures that

Islamic ruling stays relevant and useful in modern times. The modern challenges like women's empowerment, Artificial intelligence and moon sighting requires Ijma to overcome these challenges.

In relevance to the teachings of Islam, Ijma reflects the collective

wisdom of Ummah and shapes Islamic law with consistency.

and care.

Definition of Ijma

Meaning of Ijma

Ijma means "to agreed upon" or "to be united."

According to Imam Ghazali

The unanimous agreement of muftahadeen (qualified jurist) of a Muslim Ummah on a particular legal issue after the death of Prophet Muhammad (S.A.W.W.).

It reflects the collective wisdom of an Ummah in interpreting and applying the principles of Shariah.

Role of Ijma in Islamic law

Complementing Quran and Sunnah

Ensures Unity of Ummah

Adapts to changing times

Preserved Authenticity

Binding source of law

(1)

Complementing Quran and Sunnah

When a matter is not clearly mentioned in the Quran and Hadith, Ijma offers collective scholarly guidance

(2)

Ensures Unity of Muslim Ummah

Ijma prevents divisions by forming a unified opinion on religious and legal matters.

(3)

Adapts to changing times

It allows Islamic law to address modern challenges to prevent from false opinions. The modern issues like organ donations and cloning etc.

(4)

Preserves Authenticity

Since it involves the agreement of expert scholars. Ijma protects the religion from false innovation and personal opinions which leads to confusion.

(5)

Binding source of law

Once the Ijma is achieved, it becomes legally binding which cannot be contradicted. The source of law is implemented on Muslim Ummah.

DATE: 1/120

Hadith: (A)

"My Ummah will never agree upon error." ~ Bucharis

Types of Ijma

Explicit Ijma

Tacit Ijma

(1) Principles of Ijma

Explicit Ijma

Explicit Ijma is known as "Ijma Saieeh". All scholars openly agree on an issue.

(2)

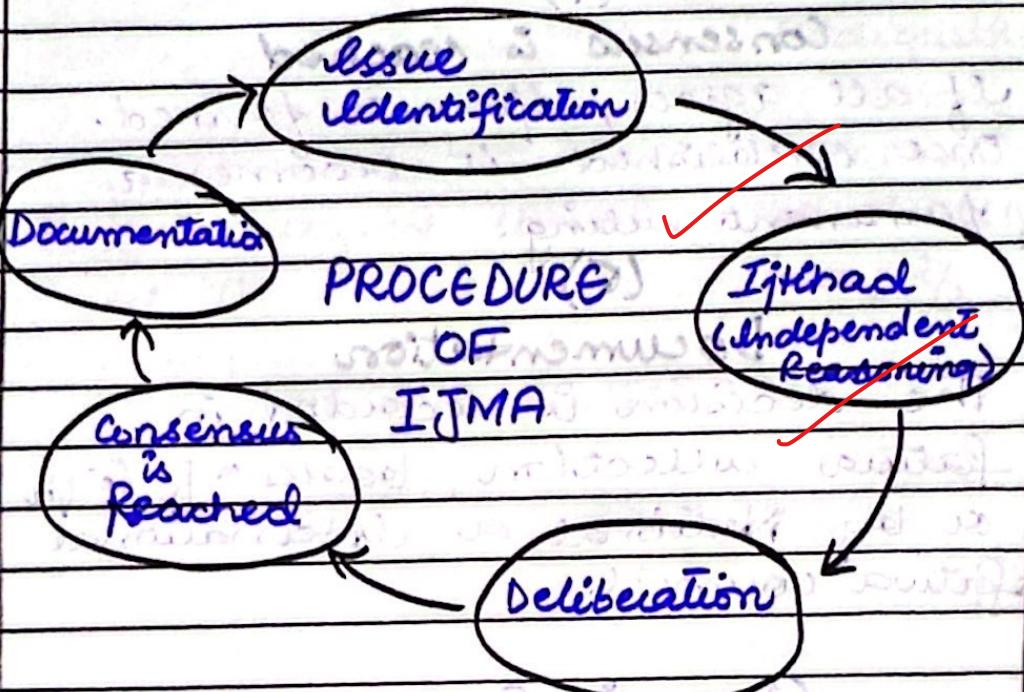
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Tacit Ijma

Tacit Ijma is known as "Silent Ijma". Some of the scholars shows agreement on the Ijma while others remain silent. In Islam silence is taken as an agreement.

Procedure of Ijma

The Ijma is formed by following a procedure such as:



Issue Identification

A new or unclear issue arises in society which needs to be addressed through Islamic ruling.

(2)

Ijtihad (Independent Reasoning)

Qualified mujtahids study the issue in the light of Quran, Hadith, Qiyas (analogy) and existing principle.

(3)

Deliberation

Scholars debate and discuss the matter in councils or fatwa bodies (e.g., Fiqh Academies)

DATE: 1/20

(1)

Consensus is reached

If all agrees, ijma is formed.
Once established it becomes a permanent ruling.

(5)

Documentation

The decision is recorded in fatwa collection, books of fiqh or by National or International fatwa council.

Quranic Reference

In Quran:

“And consult with them in affairs; when you decide; trust in Allah...”

Historical Examples of Ijma in Practice

Ijma Scholarly (consensus) has been practically applied by the Sahabah (Companions of Prophet Muhammad (S.A.W.W)) in the critical matters where Prophet (S.A.W.W) had not given explicit instruction. These decisions were necessary for the preservation and continuation of Islam.

DATE: 1/120

Compilation of the Quran under Caliph Hazrat Abu Bakar Siddique(R.A)

After the Treaty of Hudaibiya, many huffaz (memorizers of the Quran) were martyred. Umar ibn Khattab(R.A) feared the Quran might be lost, if not compiled in written.

Ijma in Practice

Hazrat Umar(R.A) suggested the idea to Caliph Abu Bakar Siddique(R.A).

Initially hesitant, Abu Bakar Siddique(R.A) agreed after consultation.

Zaib ibn Thabit(R.A) a trusted scribe of revelation was assigned to compile and complete the Quran versus.

Impact

This act preserved the Quran for the future generations. and the Ummah agreed on this matter. Though not done in the Prophet's time, it becomes a binding and respected precedent through Ijma.

Modern Day application of Ijma

Today, the need of Ijma practice for the arising issues which needs Islamic rulings to address the issues.

(1)

Example: Sex Reassignment Surgery:
(Transgender issues)

DATE: 1/10

- Gender Dysphoria cases where medical diagnosis is confirmed: Permissible under strict rules.
- Cosmetic switching of gender without medical reason is considered Haram (forbidden) in Islam.

Hadith: Reference

The Prophet Muhammad (S.A.W.W) said:

"The Prophet (S.A.W.W) cursed

the men who imitate women,

and the women who

imitate men."

~ Bucharri Madinah.

(2)

Organ Donation (within Islamic

Ethics)

Permissible to donate organs to save life, especially after death with donor's consent, no commercial use.

Hadith: Reference

The Prophet Muhammad (S.A.W.W) said:

"Whoever saves a life,

it is as if he saved

all of mankind"

Many fatwa scholars agreed on

it as it is being practiced in

Pakistan, Egypt, UK and Saudi

Arabia, Iran, Iraq and Oman

DATE: 1/120

Challenges in Applying Ijma Today

Global diversity

Sectarian Divides

Political Interference

Rapid Scientific change

As the scholars are spread across various countries which with different school of thought, sects (Shia and Sunni), the sectarian tensions and the global diversity leads to various challenges in forming an Ijma. Moreover in some regions the government strict the scholarly independence in aspect which raise tension in the modern world.

Conclusion

Ijma is more than a historical concept it the breathing, living process that keeps Islam applicable in every age.

The modern challenges using confusion or false opinions needs Ijma practice in the modern world to solve the issue in the light of Islamic rulings.

Ijma remains a symbol of unity and truth proving that Islam can handle modernity without losing its moral soul.

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1200 ~~1000~~ ft.

Elaborate the concept and importance of Jihad.

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Answer: $\frac{1}{2} \pi r^2 h$

केवल अक्षरों के लिए नहीं बल्कि अन्य विषयों के लिए भी उपयोग हो सकता है।

Introduction to viral zoonoses

In Today's fast changing world, arises various challenges which needs Islamic ruling. Islam revealed 1400+ years ago, but now modern challenges needs to be addressed such as cyber crime, artificial intelligence, cryptic currency etc.

Ijtihad is the living body of Islam which makes Islamic rulings applicable to the modern challenges in the light of Quran and Sunnah.

If there is no ijtihad practising, the Islamic law would freeze in the past and cannot proceed.

Today, the Ijithad is important to highlight the modern world challenges in the light of Quran and Sunnah.

Definition of Ijtihad

(1)

meaning of Ijtihad

The word Ijtihad is derived from the Arabic word "Jihad" which means "to strive" or "to make an effort".

In Islamic law, Ijtihad means:

The process of a qualified scholar use reasoning to derive the legal rulings from Quran and Sunnah, if it's not clearly mentioned.

danger, difficulty, apprehension, burden, 2020/2021

Quran and Hadith evidences for Ijtihad

In Quran:

"Those who listen to guidance, the world and follow the best of it - Those are the best ones whom Allah guided...".

Hadith: Mud'ah ibn Jabal (R.A)

The Prophet (S.A.W.W) sent Mud'ah to Yemen; He asked,

"How will you judge?"

Mud'ah said:

"By the Book of Allah"

"And if not found?"

“By the sunnah of Prophet (S.A.W.W.)”

“And if not found? I will complain”

“I will make Ijtihad with my opinion”

→ Prophet (S.A.W.W.) praised this act and approved it.

Sources of Ijtihad

Quran

Sunnah (Prophet S.A.W.W.)

Maslahah (Public interest)

Istisna (Juristic Preference)

Qiyas (Analogy)

Maslahah (Public interest)

Istisna (Juristic Preference)

Ijma (Custom)

Sadd al Daar'i (blocking means to harm)

Significance of Ijtihad

The Ijtihad is rooted in the following significant features:

(1)

Bridging Classical Islamic Values in modern Issues

Islam was revealed 1400+ years ago to the modern challenges and issues. Issues are different which needs Islamic rulings such as Organ donation, Transgender issues, digital moon sighting, Artificial intelligence etc. There are not Islamic values or laws about these modern world issues. It is important to address these issues by relating it with Quranic and Sunnah teachings.

(2)

Flexibility in Shariah

The Shariah is not rigid. It allows scholars (muftahids) to address these issues in the light of Islamic values.

(3)

Solve Modern issues with Islamic values

The issues which modern world is facing today are:

IMV and surrogacy

Artificial intelligence.

Organ Donation.

Cryptocurrency without a bank or bank account. Without Islamic scholars, Muslims

DATE: 1/20

will follow the social issues by their opinions (which might be wrong). It is important to address the issue through insight of scholars (Muftahid) to stop following the trends of Western culture.

(4)

Stop stagnation in Islamic laws

If the Ijtihad is not practiced, the Islamic laws would freeze and cannot proceed. For the spread of Islam, it is necessary to highlight modern issues.

In Quran:

Qs. "Obey Allah, Obey the Messenger, and those in authority among you..."

Qualification of Muftahid (scholar)

- The Muftahid (scholar) who has expertise in knowledge can perform Ijtihad.
- Any scholar or lay person cannot perform Ijtihad.
- Ijtihad requires deep insight knowledge of Quran and Sunnah.
- A scholar should be well known about Arabic language to insight Quranic

DATE: 1/120

✓ principles and the Sunnah teachings.

A Scholar (Mujtahid) would not be biased (like sects divisions Sunnis or Shias, etc), the ijtihad performed by Mujtahid should be according to Islamic law.

Limitations of ijtihad

Following are the limitations of ijtihad which needs to be followed:

(1) Contradiction with Nass

If any Quranic Verse or Hadith exists which may highlight the modern issue, then there is no need for ijtihad.

In Quran:

"This day I have perfected your Religion..."

It means Islam is a complete code of life and highlight every issue.

(2)

Not Applicable in Aqeeda

The ijtihad cannot be applicable in the Aqeeda like Tawheed, (Oneness of Allah), Angels and on the 'day' of Judgment.

The teachings of Islam which is

compulsory for every Muslim to follow.

~~unallowed~~ ~~unallowed~~

(3)

~~Avoiding Bid'ah (Innovation)~~

The Scholar (Mujtahid) cannot add something beyond Islamic teaching. It will not be applicable in the teachings of Islamic laws.

(4)

~~Qualified mujtahid only~~

The Ijtihad can only be performed by Qualified mujtahid as they have deep insight knowledge of Quran and Sunnah, Usul al-Fiqh. The Ijtihad cannot be performed by any scholar or lay person.

(5)

~~NO Ijtihad against Ijma~~

If the issue is highlighted and Ijma (consensus) is ~~not~~ completed or it becomes a final ruling of Islamic law. Then there is no need to perform Ijtihad. It will not be acceptable.

Importance of Ijtihad in modern world

Today, the need of Ijtihad is important to highlight the issue arises in the modern world such as;

at window (1) and not postures

Organ Donation

As there is clear teaching is mentioned in Quran and Sunnah that a person can donate his organ but in the ~~Science~~ Hadith reference it can be performed.

Hadith:

"Whoever saves a life,

it is as if he saves the

all mankind."

Moon sighting by using Modern Technology

In the view of modern Technology, it makes easier the moon sighting by using modern technology is allowed. Rather than perform it by using old methods. It will decrease the chances of mistakes in the matter of Ramadhan or Eid.

Conclusion:

Uftaq is gift that allows Islam to grow. Rather than, it protects the religion to become outdated.

As it highlights the modern world issues, which needs the reasoning of muftahids (Scholars) rather than spreading personal opinions or false beliefs. A living shayad is the one who breathes through Uftaq.