

Mock 3 - July 2024

Islamiat

Q.5)

Rights of Women in Islam:

In Islam, women are granted certain ~~rights~~ rights that are outlined in Islamic teachings and scripture. These rights are designed to ensure their well-being, dignity, and equality within the family and society. Some of the key rights granted to daughters in Islam include:

① Right To Inheritance

Islamic law grants daughters the right to inherit from their parent's wealth. According to the Quran, daughters are entitled to receive a share of their deceased parents' estate, typically half of what their brothers receive.

② Right to Education

Islam emphasizes the importance of education for both males and females. Daughters have the right to seek knowledge and education, just like sons. The Prophet Muhammad encouraged the education of daughters and highlighted the significance of seeking knowledge for all Muslims.

③ Right to Protection and Respect

Daughters are entitled to protection and respect from their family members, including their parents, siblings, and other relatives. Islam emphasizes the importance of treating daughters with kindness, compassion, and respect, and prohibits any form of harm or abuse against them.

④ Right to Choose Marriage

Daughters have the right to consent to marriage and cannot be forced into a marriage against their will. The consent of the daughter is considered essential for a

valid marriage contract, and her wishes and preferences should be respected in the process of choosing a spouse.

⑤ Right to Financial Support

Daughters have the right to be financially supported by their parents, especially their fathers, until they are married. This includes providing for their basic needs such as food, clothing, shelter, and healthcare.

Status of Women in Islam

At its core, Islam emphasizes the equality, dignity, and rights of women, enshrining principles that promote their empowerment, protection, and participation in all aspects of life.

① Equality in the eyes of God

Islam teaches that men and women are equal in the eyes of Allah:

كُلُّكُمْ لِرَبِّهِمْ كَانٌ

"Created you from a single soul" (Sura Nisa, Verse 1)

Emphasizing the fundamental equality of men and women. Both genders are considered equal partners in worship, accountability, and spiritual fulfillment.

② Equal Spiritual Rewards

Islam affirms that men and women have equal opportunities to attain spiritual rewards and closeness to God through their actions and devotion. Both genders are encouraged to engage in acts of worship, such as prayer, fasting, charity, and Hajj with the same level of sincerity and dedication.

③ Educational Rights

Islam places great emphasis on seeking knowledge, and this applies equally to both men and women. The Prophet

Muhammad emphasized the importance of education for all Muslims, regardless of gender.

④ Social and Economic Rights

Islam grants women certain social and economic rights to ensure their well being and independence. These include the right to inheritance, ownership of property, employment, financial support, and participation in business transactions.

⑤ Family and Marital Rights

Islam promotes the institution of marriage as a sacred bond based on mutual love, respect, and cooperation between spouses. Women have the right to choose their partners and consent to marriage freely. Islamic law provides guidelines for marital relations that emphasize kindness, compassion, and equity between husbands and wives.

⑥ Legal Rights and Justice

Sharia Law upholds the rights of women and ensures their access to justice. The principle of equity, fairness, and compassion underpin Islamic jurisprudence, which seeks to protect the rights and interests of all members of society, including women. Islamic legal scholars have developed detailed legal provisions and safeguards to address issues related to marriage, divorce, inheritance, custody, and other matters affecting women's rights.

⑦ Modesty and Respect

Islam promotes modesty and respect in interactions between men and women. Modesty in dress and behaviour is encouraged for both genders as a means of upholding dignity and promoting social harmony.

The Prophet as a Shining Example

① Respect and Honor - Treatment of Fatimah (r.a)

The Prophet always showed respect and honor towards his wives and daughters. One example is when he would greet his daughter Fatimah by standing up, kissing her on the forehead, and offering her his seat out of reverence and respect whenever she visited him. This gesture demonstrated his acknowledgement of her status as his daughter and as a respected member of the family.

② Equality - Hadith on treatment of wives

The Prophet treated his wives and daughters as equals.
"The best of you are those who are best to their wives"
(Sahih Muslim)

This statement emphasized the importance of treating women with kindness, fairness, and equality.

③ Companionship and Love - Relationship with Aisha (r.a)

The Prophet maintained close and loving relationships with his wives and daughters. A key example is the relationship he had with his youngest wife Aisha, with whom he spent quality time, and cherished deeply.

④ Protection and Support - Facilitating migration of Zainab (r.a)

The Prophet prioritized the protection and wellbeing of his wives and daughters. He defended their rights and ensured their safety in times of adversity. When his daughter Zainab faced persecution in Mecca, he supported her and facilitated her migration to Medina, ensuring her safety and protection.

Role of Women in Islam

① Being Excellent Mothers

The Prophet was asked "O Messenger of Allah, who is most deserving of my good company?" He replied "Your mother". The man asked, "Then who?" The Prophet replied again, "Your mother". After the fourth time, The Prophet replied "Your father". (Sahih Muslim). This hadith underscores the importance of a mother's role in Islam, and the responsibility placed upon women to fulfill this role.

② Wives - source of comfort for their husbands

The Quran states that women were created with the purpose of being a source of comfort to their husbands. They are required to obey them and be excellent partners of life.

③ Worship Allah

There is no discrimination in religion - the compulsory acts for fulfilling the deen apply equally to both men and women. Women are expected to lead their families and relationships keeping the teaching of Islam at the forefront at all times.

Q.6)

Principles of Accountability in Islam

① Fundamental Component of Governance

وإذا حكمتم بين الناس ان احكموا بالعدل

"And when you judge between people, judge with fairness" (Sura Nisa, Verse 48)

Rulers ~~are~~ are instructed to fulfill their duties with justice and fairness, as they are ultimately accountable to Allah for their actions.

② Impartiality and integrity are fundamental

Even if it means going against one's own interests or kin, rulers are expected and accountable to uphold justice and fair rulings. There is no room for personal biases or relationships, Islam holds individuals accountable to uphold justice.

③ Warning against arrogance and abuse of power

Arrogance is expressly forbidden within Islam, as true honor and authority belongs to Allah. Individuals are required to act with humility, and serve the best interests of the people.

④ Retribution is proportionate to offense

When one commits a wrong in Islam, he is accountable to both Allah and those whom he has wronged. The offense has an equal punishment, but no more than that.

~~Area~~ System of Accountability in the Khilafat

- rulers need a pledge from community to rule
- term of office is not limited to a specific period
- accountability in khilafat is guaranteed through 3 things:
 - ① Institutions of government
 - ② Obligation to establish political parties
 - ③ Individual obligation on all citizens
- All executive powers with khilafat
 - not above the law
 - responsible for domestic and foreign policies of state
 - appoints foreign ambassadors
 - adopts the divine rules, deduced through ijihad

- No legislative power of khaleefa
 - only sources of shariah acceptable are: quran, ijma, sunnah, qiyas
- Accountability through appointed council
 - can express opinions freely
- Duty of individuals to enjoin good and forbid evil
- Transparency is key

Legal and Ethical Framework for Accountability in Islam

Sharia Principles:

① Fiqh mechanisms for holding rulers accountable

Islamic jurisprudence (Fiqh) outlines mechanisms for holding rulers accountable through principles derived from the Quran and hadiths. This includes ensuring rulers adhere to Islamic laws and principles

② Role of Sharia Courts

Sharia courts, guided by Islamic legal scholars and jurists, play a pivotal role in upholding accountability. They have the authority to adjudicate disputes and hold rulers accountable for any actions that contravene Islamic principles

③ Legal procedures in Sharia Courts

Sharia courts follow legal procedures outlined in Sharia Courts. These procedures include evidence-based adjudication, fair trials, and due process, ensuring that rulers are held accountable through a just legal framework

Islamic Governance

④ Rules and Regulations Ensuring Accountability

Islamic governance is governed by rules and regulations derived from Islamic law (Sharia) that ensure the accountability of those in power. These rules encompass various aspects, including ethical conduct, transparency, and responsiveness to the needs of the people.

⑤ Principles of Consultation (Shura)

One key principle derived from Islamic law is Shura, which emphasizes consultation and participation in decision-making. Rulers are expected to consult with advisors, scholars, and representatives of the community to ensure governance reflects the will of the people and adheres to Islamic principles.

Q.8) i)

Ijma = third source of Islamic law after Quran + hadith
→ meaning consensus - universal and infallible agreement of either the Muslim community as a whole or Muslim scholars ~~in~~ in particular

Significance of Ijma in Islamic Legal System

① Consensus of Scholars

→ Ijma represents the collective agreement or consensus of qualified scholars within the Muslim community on a particular legal issue.

② Stability and Unity

→ helps maintain stability and unity within Muslim community by providing a consensus-based approach to

legal rulings. It minimizes discord and promotes harmony among believers by establishing common ground on matters of jurisprudence.

③ Interpretation of Ambiguous Texts

→ in cases where Quran and Sunnah are ambiguous or open to interpretation, Ijma provides clarity and guidance.

~~③~~ ④ Adaptability to Changing Circumstances

While grounded in tradition, Ijma allows for adaptation to changing social, cultural, and technological circumstances. It provides a mechanism for addressing new issues and challenges faced by the Muslim community while remaining faithful to Islamic principles.

⑤ Protection Against Innovation

Ijma acts as a safeguard against innovation (Bid'ah) and ~~unauthorized~~ unauthorized interpretations of Islamic law. It ensures that legal rulings are consistent with established teachings and prevents the introduction of novel or deviant practices.