

# Question: 4

Discuss in the system of sadaqat and zakat in Islam. Analyse its social, moral and spiritual.

## Introduction

Zakat means to purify own self which is obligatory to all the muslims, mature person, sound minded. In addition, Zakat not only protect from greed but also gives the soul peace. Zakat has also many social and economic repercussions. It establish brotherhood, friendship and fraternity among rich and poor. Furthermore, It prevents the concentration of wealth in few hands and ensures its distribution. It ensures the growth of national wealth and promotes national integration and social bonds.

# Zakat:

The literally meaning of zakat 'to clean' or to purify. Zakat contextual meaning to purification of wealth and belongings. It refers to the purification of a Muslim's wealth and soul, from greed, selfishness, hatred and jealousy.

According to Salihko Murata and William Chittick, "just as ablutions purify the body and salat purify the soul, so zakat purifies possessions and makes them pleasing to God."

## Importance of Zakat in Quran and Hadith

واقموا الصلاة واتوا الزكاة  
واركعوا مع الراكعين

"And keep up prayer and pay the poor-rate and bow down with those who bow down."  
[Al-Bakarah 2:43]

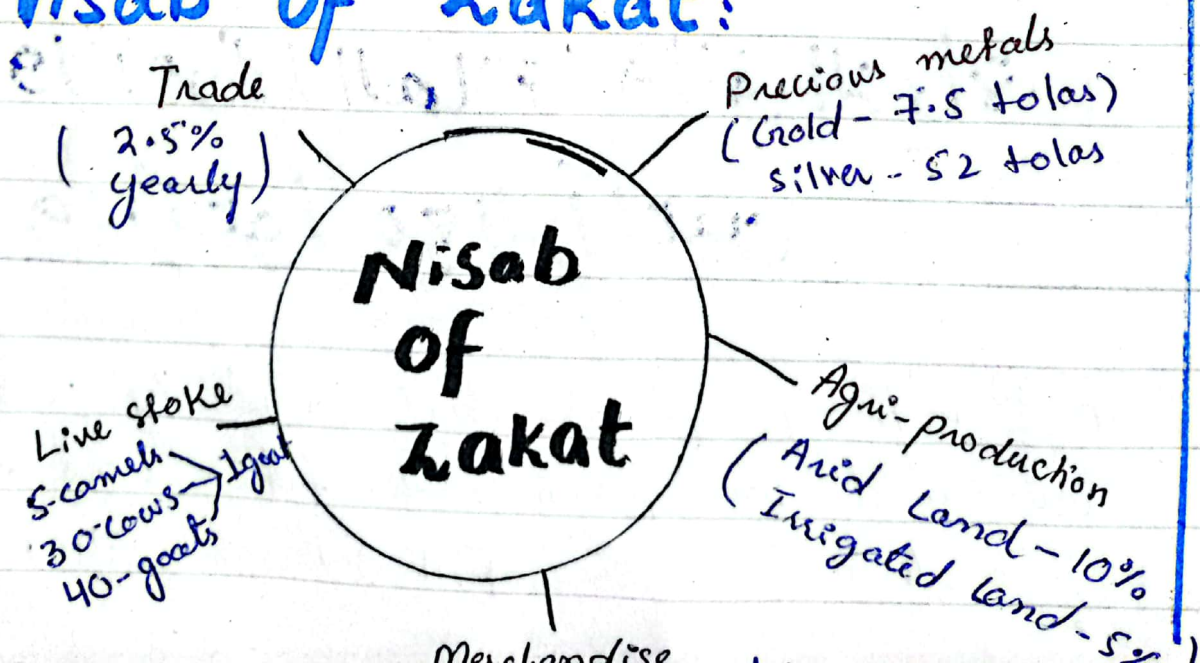
Similarly, it has been stated in Hadith:  
the Holy prophet (PBUH) said:

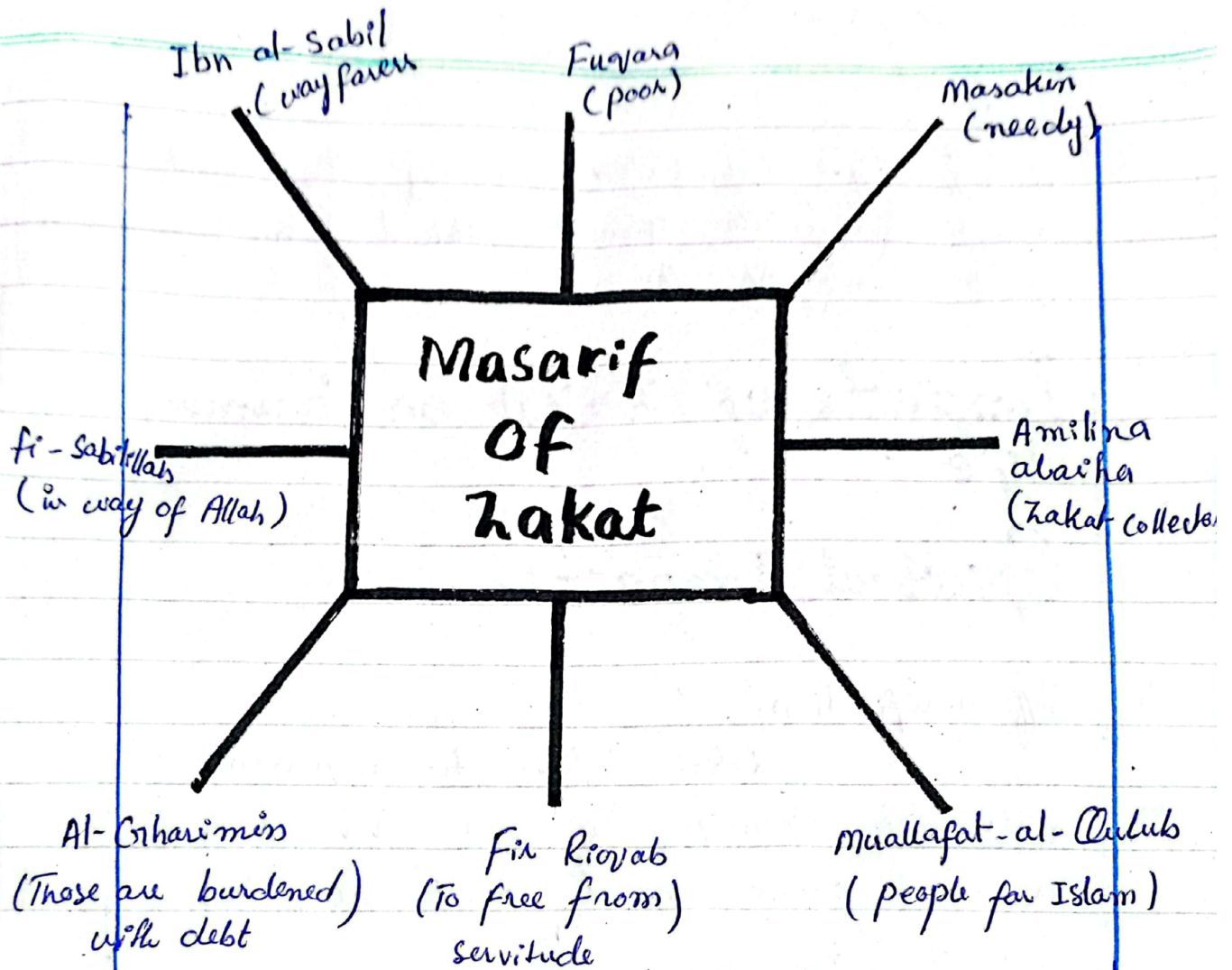
"Allah has made Zakat obligatory  
on you for his very reason  
that the remaining wealth of  
yours may become pure for  
you."

## Criteria for the One giving Zakat:

- (i) Must be a muslim
- (ii) Mature person
- (iii) Must be sound minded
- (iv) financial
- (v) Due credits
- (vi) Surplus wealth

## Nisab of Zakat:





Zakat cannot be given to one's own parents, grandparents, spouse and the descendants of the prophet Mohammad (PBUH).

Masarif of Zakat neither in the Quran nor in the Hadith mentioned. It is fixed by Shafei and Hanafi school on the basis of needs.

Ahmed ibn an-Naqib al-Miski stated that the shafei school requires zakat

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is equally distributed among the eight recipients, while Hanafi school permits zakat some of them.

## Impacts of zakat on human life

### Spiritual Impacts:

(i) Self purification:

zakat relates to a person's individual capacity. The alms giver clears his heart from greed, and acquires fear of God.

Allah has said:

وَسَيَجْزِيهَا الْآتِقِي - الَّذِي يُوْتِي  
مَالَهُ يَتَزَكَّى -

"He shall be saved from Hell fire who is God fearing and who gives riches to other for the purification of his soul."

[al-Laila 92:17-18]

2.

Zakat removes materialism.

It helps detach individuals from material possessions, encouraging a focus on spiritual values.

The prophet (PBUH) said,

"The love of this world is the mother of all evils."

3.

Closeness to Allah,

Giving zakat draws individuals closer to Allah, enhancing their faith and devotion.

## 2. Moral Impacts:

1. Zakat creates sense of Generosity:

Zakat creates the sense of generosity among believers that the wealth they give in the way of God is not wasted. It will not only under the bless of God but also in <sup>here</sup> after, they will be blessed.

3. Zakat purifies heart and prosperity:

Zakat not only purifies the property but also the heart.

B. Humanitarian spirit:

Zakat is an effective weapon against selfish greed and sound illustration of humanitarian spirit.

### 3. Social Impacts:

1. Individual and collective welfare:

Zakat improves the welfare of the needy, fostering community support:

2. Reduction of class differences:

Zakat helps reduce economic disparities, promoting social equity.

3. Circulation of wealth:

It ensures wealth circulates within the community, promoting economic activity. The Holy Quran says:

"And it should not be that wealth is

accumulated in few rich hands."

## Sadaqah:

Sadaqah literally means "righteousness" and refers to the voluntary giving of alms or charity.

In Islamic terminology, sadaqah has been defined as an act of "giving something without seeking a substitute in return and the intention of pleasing Allah."

As, Sadaqah is fixed amount assessed per person, while Zakat is based on personal income and prosperity.

## Conclusion:

From the above discussion, it became clear that Zakat is obligatory which requires ruler to take from the rich and distribute among poor's. It also impacts humans life socially, morally and spiritually which give them peace in the souls. Therefore, it impacts individuals and society as a whole positively.



# Question : 6

Discuss the status and role of Minorities in Islam. How Islam ensures their rights in various spheres of life.

## Introduction :

In Islam minority rights are also equal to the Muslim rights. It gives the non-Muslims all the rights, social, financial and political rights. It also gives the property rights in Muslim countries in the world. Islam seeks to establish such a society where all citizens of the state enjoy equal right and religion does not become the basis for discrimination.

The sharia not only regulates relations of Muslims, but also with Non-Muslims in order to safeguard the rights of all irrespective of their creed and religious denomination. It is the duty of Muslims to safeguard these "protected communities" living under an Islamic government to honour their rights in return for the special tax (jizya) which they pay as a contribution towards the state's expenditure.

The Holy prophet (PBUH) said about non-Muslims:

'He who oppresses one of the persons to whom a pledge has been made (al-dimani), denies him his rights, requires him to do what is beyond his capability, or takes from him something against his will, will have me as his antagonist on the Day of judgement.'

# Status of Minorities in Islam:

(i)

## Dhimmis:

Historically, non-Muslims living in an Islam state, known as dhimmis, were granted protection and certain rights in exchange for tax (jizya). This status ensured their safety and allowed them to practice their religion freely.

(ii)

## Contractees:

Those who have entered into a treaty or agreement with Muslims at the time of their submission, which determine their rights and responsibilities, they are known as "Contractees".

(iii)

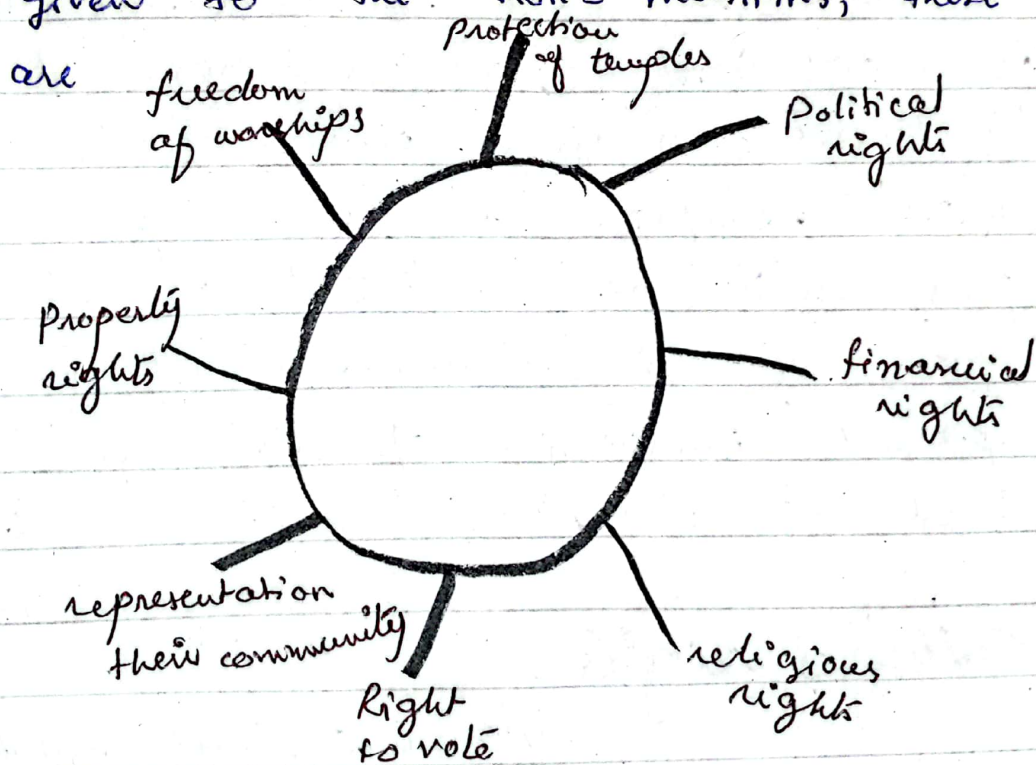
## Conquered:

Those non-Muslims who submitted to the Muslims after a defeat in the war, they are known as "conquered", when they

Pay jizya tax to the Islamic state, they too become "Dhimmi" and their lives and properties come under the protection of Islamic state.

## Rights of Minorities in Islam:

In Islam 8 fundamental rights given to the non-muslims, these are



### (i) Right of property and life:

Islamic state recognizes the right of its non-Muslim citizens to life

and property. This can be illustrated by the charter which the Holy prophet (PBUH) granted to the Jews of Madinah and to the Christians of Najran.

The charter of Madinah says:

"The Jews of Bani Awf shall be considered as a community along with the Muslims. The Muslims shall defend them against all aggressions. Their relations shall be based on good-will and mutual benefit. The allies of the Jews shall be treated as the allies of the Muslims and anyone oppressed irrespective of his creed shall be helped."

## (ii) Cultural right:

Minorities are entitled to preserve their cultural, heritage, languages and customs. Islam encourages respect for diversity and the peaceful coexistence of different cultures.

### (iii) Economic Rights:

Minorities have the right to own property, engage in trade, and participate in economic activities without discrimination.

### (iv) Political Participation:

Minorities have the right to participate in political processes. They can contribute to decision-making and advocate for their interests, fostering an inclusive political environment.

### (iv) Social Justice:

Islamic teachings promote charity, compassion, and social welfare, ensuring that minorities receive support and protection.

# Conclusion.

From above discussion, it is cleared that <sup>Islam</sup> gives the basic fundamental rights to the minorities, protecting minorities' rights is essential for building harmonious, equitable and prosperous societies.

# Question: 3

Discuss in detail the judicial system of Islam. Explain its basic philosophies and how it ensures social justice.

## Introduction:

It is an independent administration system in Islamic government. It is oriented to resolve all types of legal disputes among people. Islam is a system that ensures to guarantee relative rights of the public. The system also ensures the establishment of justice among people, stops oppression and punishes the oppressors. There are specific criteria to applying for a position in the Islamic judicial system.



# Judicial System :

The judicial system in Islam is an integral part of Islamic law and serves as a mechanism for upholding justice, maintaining order, and resolving disputes within society. It is based on the principles derived from the Quran, Hadith and consensus of scholars.

## Importance of Justice in Quran and Hadith

The Quran said:

وَلَا تَكْفُرُوا بِالْأَشْهَادِ وَمَنْ كَفَرَ  
فَأَنَّهُ لَكُفْرًا قَلْبًا -

"And do not conceal testimony, and whoever conceals it, his heart is surely sinful."  
[al - Baqarah 2:283]

The Holy prophet (PBUH) said that

"Abdullah ibn Umar ibn 'As (D.684) relates

The messengers of Allah (PBUH) said:  
"The just will be placed in columns of highlight in the presence of Allah. They will be those who act justly in their decisions, their families and the affairs committed to them."

## Structure of judicial System

### 1. Sources of Law:

- (i) Quran
- (ii) Hadith
- (iii) Ijma
- (iv) Qiyas

### 2. Judicial authority:

#### (i) Qadi:

Al-Mawardi gives the criteria for judges in his book 'Al-Ahkam-ul-sultania: integrity, impartiality, suitability of character. scholar of Quran and Hadith. Revision in judgement is permissible.

## (ii) Court System:

Courts may be established at various levels, addressing civil, criminal and family matters, with specialized judges.

## 3. Production of Witness:

According to verse 283 of Surah Al-Baqarah, giving shahadah is a trust. Islam acknowledges the principle of 'Audi alteram partem' that no one can be condemned unheard.

## 4. Types of Jurisdiction:

- (i) Sharia Courts (focus on personal status).
- (ii) Criminal courts (Deal with hudud and ta'zir)
- (iii) Civil courts (Contractual issues).

## 5. Separation of judiciary from Executive:

Caliph Umar separated judiciary from the executive and ensures independence of judiciary and rule of law.

# Basic philosophies of the Islamic judicial system:

## 1. Justice (Adl):

fundamental concept in Islam, it aims to ensure fairness and equality before law, upholding the rights of all individuals.

## 2. Accountability:

It emphasizes on moral and ethical conduct underlines the importance of integrity in judicial proceedings.

## 3. Protection of rights:

This includes the rights of victims, dependants, and minorities, ensuring that justice prevails.

## 4. Consultation (Shura):

The process of consultation is emphasized, allowing for community involvement in legal decisions, enhancing transparency and collective responsibility.

## Ensuring Social Justice:

### (i) Equal treatment:

It mandates that all individuals, regardless of status or background, are treated equally under the law.

### (ii) Support for the vulnerable:

Islamic law prioritizes the protection of vulnerable groups, including women, children and the poor. Specific laws aim to ensure their rights and welfare.

### (iii) Access to justice:

It includes legal representation and the right to a fair trial.

### (iv) Public Interest (Maslaha):

Decisions are often guided by the principle of maslaha, public interest, allowing for flexibility in legal rulings to promote the welfare of society.

# Conclusion:

From the above discussion, it is cleared that the Islamic judicial system is designed to uphold justice, protect rights, and ensure social harmony. Through its fundamental philosophies of justice, accountability and moral integrity. The system aims to create a balanced and fair community in line with Islamic principles.

# Question : 5

## a. Ijtihad:

Ijtihad derived from Arabic word jahd "means to " to try). According to fiqh " an individuals effort to find solutions of an emerging problem.

Literally, ijtihad means the truth seeking, the individual opinion of a person who has considered all facts in the light of reason and revelation.

Similarly, Prof. Noj Coulson (A history of Islamic Law) said that:

" Ijtihad is the general process of juristic endeavour to ascertain the tenets of Shariah Law. The person thus engaged is known as a Mujtahid."

Therefore, The Abu Bakar Siddique announced the jihad against who refused to pay zakat, he made decision according to their own discretion.

Similarly, Hazrat Umar Faarooq made decision (Ijtihad) that he imposed zakat on houses.

## b. Principles of Ijtihad:

### (i) Source text:

Ijtihad is grounded in the Quran and Hadith. Scholars engage with these texts to derive legal rulings.

### (ii) Knowledge and Scholar:

A mujtahid must possess deep knowledge of Islamic sciences, including Arabic language, theology, jurisprudence, and the history of Islamic law.

### (iii) Contextual Understanding:

Ijtihad requires understanding the social, cultural, and historical context of issues to apply Islamic principles appropriately.

### (iv) Consensus (Ijma):

While individual reasoning is important, ijtihad should consider the consensus of scholars on particular issues when applicable.



c. Who will conduct the Ijtehad:

(i) Parliament as Ijtehad legislative body:

According to Iqbal a national legislative Assembly is a competent body to exercise Ijtehad in matters of religion and politics in a Muslim society.

According to the spirit of Islam stated that Turkey's Ijtehad is the Caliphate or Imamah can be vested in a body of persons.

(ii) World Islamic Ijtehad Council:

According to Dr. Hamidullah that the council may be assisted by various professional committees on economic, scientific, etc. which may advance expert opinion to the council.

### (iii) Academic of Islamic jurisprudence:

Ijtihad becomes a collective act of the authoritative jurists of the age through consultation among themselves rather than the act of individual jurists in isolation.

## D. Importance of Ijtihad in modern times

### i) Addressing contemporary issues:

As society evolves, new challenges arise, such as bioethics, technology and global governance that require fresh interpretations of Islamic law.

### ii) Promoting flexibility:

Ijtihad allows for the application of Islamic principles to modern contexts, preventing stagnation in legal thought and ensuring that Islam remains relevant.

### 3. Encouraging Critical thinking:

Engaging in Ijtihad fosters a culture of intellectual inquiry and debate within the Muslim community, encouraging scholars and peoples to reflect on their beliefs.

### 4. Diversity of opinions:

It allowing for multiple interpretations and practices, which can enhance social harmony.

## Conclusion:

From above discussion, it is clear that ijtihad is essential for the dynamism of Islam jurisprudence. In an increasingly complex and interconnected world, the ability to apply Islamic teachings ijtihad ensures that the faith can continue to guide ethical and legal practices. Addressing modern challenges, while remain rooted in tradition,