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Judicial System of Islam

Introduction

The Islamic judicial system is an independent branch of governance that focuses on resolving legal disputes among people. Its primary goal is to ensure justice and protect and protect the rights of individuals. By following the teaching of Allah and traditions of Prophet Muhammad the system aim to stop oppression and hold wrongdoers accountable.

Concept of Justice

In Islam, Justice is a core principle. The religion emphasize the importance of establishing justice and combating tyranny.

The Quran states:

“O you who ~~are~~ have believed, be persistently standing firm in justice witness in justice (Surah An-Nisa)

Justice as a foundation in Islam:

Islam Promotes social justice by respecting and honoring all individuals, regardless of their status by they rich or the poor, rulers or common

People. The Prophet Muhammad^ﷺ said
 "The best of leaders are those whom
 you love and who love you....
 (Sahih Muslim).

Additionally it hold individuals
 accountable for their action, as seen
 in Quran:

"And do not let the hatred of a People
 prevent you from being just. Be
 just; that is nearer to righteousness."
 (Surah Al-Maidah)

This commitment to justice fosters
 a balanced and fair society.

Basic Philosophies.

Justice as a Fundamental Principle

Justice is central to Islam. The
 Quran commands believers to uphold
 justice in all circumstances, as
 stated in Surah An-Nisa.

"O you who believed, be persistently
 standing firm in justice, witnesses
 in justice, and do not let the hatred
 of people prevent you from being
 just. Be just; that is nearer to
 righteousness."

Equality Before Law

Justice as a Fundamental Principle.

Islam promote equality for all individual
 for under the law. The Prophet^ﷺ

Muhammad^ﷺ highlighted this principle during Sermon, affirming that no one is superior based on ethnicity or status.

Presumption of innocence

Individual are presumed innocent until proven guilty.

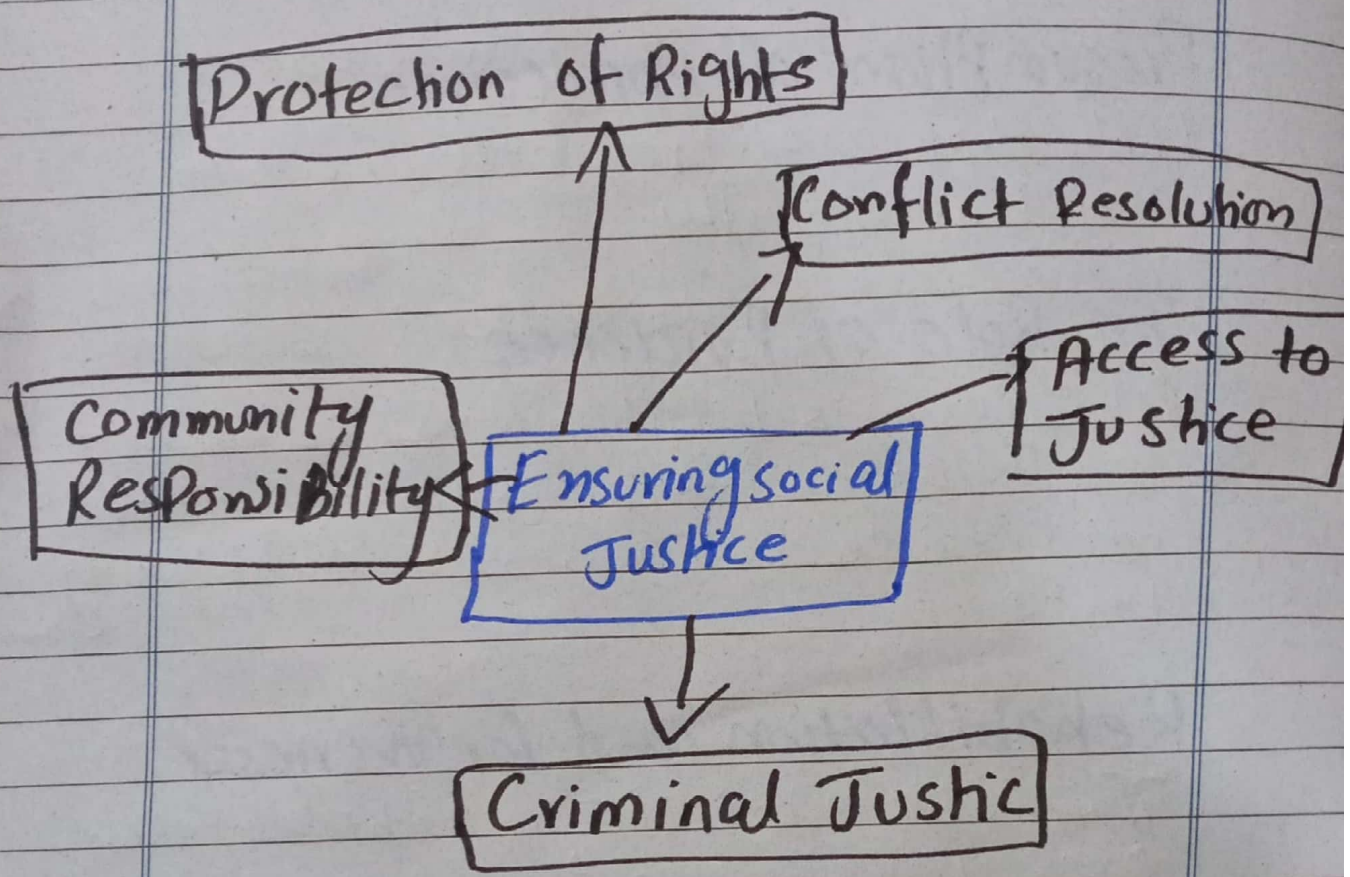
The Role of Evidence

Evidence is vital in legal proceedings. The Quran and Hadith stress the importance of credible witnesses in establishing facts.

Rehabilitation and forgiveness

The system prioritizes rehabilitation over punishment. It encourages forgiveness and reconciliation allowing offenders to repent and reform.

Ensuring Social Justice.



Conclusion:

The Islamic judicial system is grounded in principle of Justice equality, and moral integrity, ensuring social justice and promoting a harmonious society where individual live with dignity and respect.

Q-5**Introduction:**

Ijtihad mean "to Strive" and in Islamic law, refers to deriving legal rulings from Quran and ~~Sure~~ Sunnah. Practicing Ijtihad requires deep knowledge of these sources, an understanding of Islamic law's broader goals, and fluency in Arabic. While trained scholars should handle complex legal issues, knowledgeable Muslims can apply Ijtihad on personal matters that don't require advanced expertise.

Concept of Ijtihad:

- In terminology, Ijtihad refers to reasoning or a muslim jurist exercising his own judgment regarding a Shariah ruling.
- It refers to the practice of formulating a Shariah ruling pertaining to an issue, the ruling of which is not found in two primary sources
 - ① Quran
 - ② Sunnah
- The process through which a jurist / Mujtahid reaches to conclusion or a ruling is termed as 'Ijtihad'

How the Prophet encouraged his companions to perform Ijtihad.

"if a judge passes judgment and strives to reach the right conclusion and gets it right, he will have two rewards: if he strives to reach the right conclusion but get it wrong, he will still have one reward." (Nasaai-5381)

Importance of Ijtihad in Modern Time

In today's rapidly changing world, new developments in technology, economics, and social life bring up questions that were not present in earlier times. Ijtihad provides a way to address these modern issues, ensuring that Islamic principles stay relevant and adaptable.

for example.

Finance:

New financial products like cryptocurrency need Islamic guidance to determine if they are permissible.

Medical Ethics

Issues like organ donation and genetic research raise questions that can

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be addressed through Ijtihad, helping Muslims navigate complex choices in healthcare.

Environmental Responsibility:

With growing concerns about climate change, Ijtihad can offer an Islamic perspective on environmental care, encouraging stewardship of the earth.

In Quran:

"We have made you a balanced nation (Surah Al-Baqarah)

In Hadith: ^{The} Prophet Muhammad said:
"Allah will send to this Ummah at the beginning of every century someone who will renew its religion."
(Abu Dawood) This suggests that Islam allows for renewal and fresh understanding, which is achieved through Ijtihad.

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Introduction:

Zakat means "growth" increase, or "Purification". It Purifies soul from greed, selfishness, and materialism, fostering love for Allah and humanity. By spending wealth for Allah's sake, Zakat Promotes moral and spiritual development.

Beyond its spiritual impact, Zakat has social and economic benefits. It builds brotherhood between rich and poor, prevents wealth from concentrating in a few hands, and circulates money in the economy, strengthening social bonds and national wealth. Zakat one of Islam's five Pillars, is not just a tax but an act of worship, emphasized over 80 times in Quran, and often mentioned alongside Salât (Prayer). Salât Promotes unity and Zakat strengthens it by making the wealthy responsible for supporting those in need.

Basic Concept:

In terminology, it is the amount to be taken out by a muslim from his wealth every year, provided that it reaches the prescribed amount (ie 52.5 tolas of silver)

A person must calculate all his wealth at the end of each lunar year, and pay 2.5% of it as Zakat

"And Perform the Prayer, and give alms (Zakat)." (Al-Baqarah-110)

Allah ordered his Prophet to collect zakat from the people.

"Receive contribution from their wealth to purify them and sanctify them with it; and pay for them (At-Taubah 103)

Eight Recipients of Zakat

Mentioned in the Quran

"Charities are for the poor and the destitute, and those who administer them, and for reconciling hearts for freeing slaves, and those in debt, and in the path of God, and for the traveler in traveler in need - an obligation from God is All-knowing Most Wise" (At-Taubah-60)

1) Faqir

2) Miskeen

Significant role in enhancing a muslim's taqwa which refers to piety, righteousness and consciousness of Allah.

"Surely the most noble of you in the sight of Allah is the most righteous among you (Al-Hujurat 13)

3) Instills Modesty & Humbleness

Will result in an interaction with the poor and needy, leading towards humbleness.

Barakah in the Remaining Wealth:

"God condemn usury, and He blesses Charities" (Al-Baqarah-276)

2) Moral Impacts

4) Instills Gratitude:

The Prayer will realize the blessing of Allah SWT on him if he acknowledges that he is paying instead of receiving.

Removes the Love Wealth:

The more a person spends something the more his love for it decreases.

Whereas, accumulating something without spending it, makes a person greedy for it.

3) Social Impacts

A source of circulation of wealth

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Redistribution from the wealthy to underprivileged.

"And establish Prayer and give zakat and obey the messenger (Surah Nur)

Helps in Creating a Balanced Society:

will help in reducing the gap b/w rich and poor.

"The rich among you are not those who have much wealth but those who are generous with their wealth (Sahih al Bukhari)

Helps in Poverty Alleviation:

Everyone will at least have access to all the basic needs of life.

"And do good; indeed, Allah loves the doers of good." (Surah-Al-Baqarah)

Q = 8 (a)

Accountability in Islam

Introduction:

Accountability in Islam is rooted in the concept of ammanah, which means "trust." This means that Allah has entrusted human beings to uphold and spread His guidance by acting justly and fairly in their lives.

Every individual is seen as recipient of this trust and must be accountable to their community. They are responsible for fulfilling their duties and will be called to answer for their actions. This principle is highlighted in the Quran,

"And let there be [arising] from you a nation inviting to all that is good, enjoining what is right and forbidding what is wrong and those will be successful" (Surah Al-Imran) verse 104)

Concept of Accountability in Islam

In Islam everyone is responsible for their action both in life and hereafter regardless of their status, whether rich or poor. Rulers have a special

responsibility for the welfare of their people; if they fail to meet their basic needs, they will be held accountable.

Accountability in Quran:

The concept of accountability is tied to fulfilling religious duties and promoting goodness while fighting against wrongdoing.

○ You who believe! Make not unlawful the good thing which Allah had made unlawful for you, but commit no excess; for God loveth not those given to excess. Eat of the things which God ^{hath} provided for you, lawful and good; but fear Allah, in whom you believe (Al Maidah 87)

Allah instructs believers not to make unlawful what is law and to eat good things while being conscious of him.

Accountability in Hadith:

The Prophet Muhammad emphasize accountability in his teaching. He stated that if someone see wrongdoing, they correct it through action, words or at least disapproval in their heart, which reflects their faith.

Q2 8 (b)

Characteristics of Islamic Civilization.

Islamic Civilization is marked by unique characteristics deeply rooted in faith and moral principles creating a harmonious and just society.

Tawhid (Oneness of God)

The belief in the oneness of God is the core of Islamic civilization influencing all aspects of life. The principle unifies Muslims in their worship and values, as emphasized in (Surah Al-Ikhlās)

"Say 'He is Allah who is one!'"

Justice and Equality:

Justice is central in Islam, ensuring fair treatment for all, regardless of status. Surah An-Nahl stresses justice as a command of Allah.

"Indeed, Allah commands justice and the doing of good...."

Knowledge and Education.

Islam values knowledge as a means of personal and societal improvement.

"seeking knowledge is obligatory on every Muslim." (Ibn-e Mājah-224)

Community and Brotherhood

A sense of community binds Muslims, fostering mutual support.

"The believers are but brother,
So make settlement between you brother
And fear Allah that you may receive
mercy." (Surah Al Hujurat 49)