

PART II

Q:4: Discuss in detail the system of zakaat and zakat in Islam. Analyze its social, moral and spiritual aspects. Zakaat in literal sense zakat has two meanings "to purify and increase growth". In terminology it is amount to be taken out by a muslim from his wealth every year, provided that it reaches the prescribed amount (i.e. wealth equivalent to 52.5 tolas of silver). A person must calculate all of his wealth at the end of each lunar year and pay 2.5% of it as zakaat. It is one of the five pillars of Islam. Zakaat was obligated in the 2nd year of Hijrah. Allah (swt) has commanded us to pay zakaat along with offering the five daily prayers. zakaat is necessary to be paid by the owner of net amount. according to Quran.

"And perform the prayer, and give alms (zakaat). Allah swt ordered his prophet to collect zakaat from the people. according to Quran:

"Receive contributions from their wealth, to purify them and sanctify them with it, and pay for them":

zakaat need to be distributed to one of the eight prescribed categories of people mentioned in Quran. according to Quran

"charities are for the poor, and the destitute and those who administer them and for reconciling hearts, and for freeing slaves, and for those in debt, and in the path of God, and for the travellers in need an obligation from God, God is all knowing, most wise".

Eight Recipients of zakaat.

- ↳ Faqeer
- ↳ Miskeen
- ↳ Amileen
- ↳ Muallaful quloob
- ↳ Riqaab
- ↳ Gharimeen
- ↳ Fisaqeen
- ↳ Ibnusabeel

Spiritual implications of Zakaat:-

- ① Spiritual elevation: Wealth should be purified and sanctified with Zakaat. Allah SWT becomes happy when someone ~~gives~~ spends money in His way.
- ② Cleanses a person's wealth: If someone is earning Halaal and not paying Zakaat, then his wealth is still uncleaned - this means that some amount of this money ~~also~~ belongs to the recipients of Zakaat. Allah SWT gave you directly be grateful on this but some people provision is in your wealth kept by Allah. and you are the owner of that wealth. when their part of wealth is with you. your wealth is not clean unless you give some part of it to Zakaat receiver.
- ③ Removes the love of wealth: The more a person spends something, the more its love for it decreases. whereas accumulating something without spending ~~it~~ it, makes a person greedy for it.
- ④ Instill modesty and humbleness: Giving Zakaat will bring modesty and humbleness in human being and will result an interaction with the poor and needy that will lead towards humbleness.
- ⑤ Instills gratefulness: The payer will realize the blessing of Allah on him that he acknowledges that he is paying instead of receiving.
- ⑥ Increase Barakah in the remaining wealth: The remaining wealth of which Zakaat is paid. Allah SWT will increase Barakah in that wealth. According to Quran "God condemn usury, and He bless' charities"

Social impacts of Zakaat:-

- ① Circulation of wealth: Zakaat enhances the circulation of wealth in the society from the rich to the poor and needy to fulfill their needs.
- ② Balanced society: Zakaat is helping to bring a balance in the society. it is reducing the

- the gap between rich and the poor in society.
- ③ Poverty Alleviation: Zakat is helping in poverty alleviation in the society. where everyone at least have access to all the basic needs of life.
  - ④ Eradication of crime such as Theft: most of Robberies and theft are committed when someone has not access to the basic need of life. Zakat is <sup>solving</sup> ~~saving~~ the problem.
  - ⑤ Eradication of social evils such as jealousy Envy etc: Zakat is helping to get rid of jealousy and envy in the society. the poor will not get jealous of the rich earnings and having more wealth than them.
  - ⑥ HELPS strengthening unity and Brotherhood: By giving Zakat to the needy and poor it boost the unity and strengthening brotherhood in the society, helping the society to run smoothly.

Q.3: Discuss in details the judicial system of Islam. Explain its basic philosophies and how it ensure social Justice?

Ans: Islamic judicial system: Islam allows complete judicial autonomy to various sections of the community in order to protect and preserve their own personal and religious affairs. It allows every community to have its own judicial institutions for judging its civil as well as criminal cases and leave it to the discretion of parties to take the case to their own judicial tribunal or to the muslim judiciary. according to Quran.

"If they come to you, judge between them or turn aside from them, and if you turned aside from them they shall not harm you in anyway; and if judge judge between them in equity, surely Allah loves those

who judge equitably".

In order to administer justice fairly and equitably Islam not only eliminated long procedural difficulties, by making it simple, but also takes the necessary steps to purify the institutions of witness. This is responsibility of every legal tribunal which except a record of the conduct and habits of the people.

Importance of justice in the Quran:

"O you who believe, Be upright to God, witnessing with justice: and let not the hatred of a certain people prevent you from acting justly. Adhere to justice for that is nearer to piety and fear God. God is informed of what you do."

"But if you judge, judge between them equitably. God loves the equitable."

Importance of justice in Hadith:

According to Hadith:

"There are three whose supplication is not rejected. The fasting person when he breaks his fast, the just leader and the supplication of oppressed person. Allah raises it up above the clouds and opens the gates of heaven to it. And the Lord says: By my might, I shall surely aid you, even if it should be after a while"

"A day of just leadership is better than sixty years of worship".

"Indeed the most beloved of people to Allah on the day of judgement, and the nearest to him in the statutes is the just man. And the most hated of the people to Allah and the furthest from him in statutes is the oppressive imam".

## Fundamentals of Islamic judicial system

- ① Sovereignty of Allah swt :- All the judgements will be given as per the guiding of Quran and sunnah. Any judgement with the contradiction with the above two has no place in Islamic judicial system. According to Quran
- "The decisions belongs solely to God"
- "His is the creation and His is the command"

- ② The Islamic justice system revolves around justice :- Justice is the corner stone of Islamic judicial system. Justice must be upheld in all times. Every citizen of an Islamic state must have an equal access to justice regardless of their faith, race, colour, economic and social status. According to Quran
- "O you who believe: stand firmly for justice as witnesses to God, even if against yourselves, or your parents, or your relatives. whether one is rich or poor, God take care of both"

## Features of an Islamic judicial system

- ① Source of law / judgement :-
- The laws, rulings and judgement will be derived from the source of Islamic law in the following sequence.
- Quran
  - Sunnah
  - Ijma
  - Qiyas
  - Ijtihad etc.
- ② Rule of Law :- Everyone is equal in front of the law. No one no matter how high their status is, is exempted from law.

according to Hadith.

"O people those who have gone before you were destroyed, because if anyone of high rank committed theft amongst them, they spared him and if anyone of low rank committed theft, they inflicted the prescribed punishment upon him. By Allah, if Fatima, daughter of Mohammed were to steal, I would have her hand cut off".

- ③ the system of witness and oath & producing witness or evidence is the responsibility of claimant. Taking oath is the responsibility of the dependants. according to Hadith.

"if people were given whatever they claimed some people would claim the lives and wealth of others. But the proof lies on the one who is making the claim and the other must be taken by the one who rejects claim."

- ④ Equality of access to justice will be made extremely easy and speedy. Everyone will have access to justice regardless of their faith, colour, race. Everyone is equal in front of law. No Muslim will be prioritized over non Muslim.

- ⑤ Criteria for Qazi: The judge should be adult, sane and Muslim. He would be a person of clean character and would be specialized in legal laws of the country. He must not accept gifts and he must be specialized in Islamic jurisprudence.

- ⑥ Court proceeding - 1) Hearing the case. The claimant will make his claim

2) Acknowledgment or denial by dependants.

- 3) Evidence / witness from the claimant.
- 4) Oath from the defendant.
- 5) If the defendant refused to take oath, the decision will be in favor of claimant.

① The Islamic penal code:

↳ Hudud

↳ Fornication

↳ Slander

↳ Theft

↳ Drinking

↳ Apostasy

↳ Highway Robbery

↳ Qisas

↳ Diyat

↳ Tazirat.

Q.51 Elaborate the concept of Ijtihad and its principles in Islam. Explain its importance in modern time.

IJIHAD - Ijtihad is derived from the root word "jihad" which means to strive for something, truth seeking, the individual opinion. In terminology Ijtihad refers to reasoning or a Muslim jurist exercising his own judgment regarding a Shariah ruling.

Ijtihad refers to the practice of formulating a Shariah ruling pertaining to an issue, the ruling of which is not found in the two sources i.e. Quran and Sunnah.

The process through which a jurist/mujtahid reaches to a conclusion or a ruling is termed as Ijtihad.

In simple words, Ijtihad is the effort made by an Islamic scholar to think carefully and independently to find answers or make

decisions about new issues that are not directly addressed in the Quran and sunnah. It is a way to apply Islamic teachings to new situations.

Ijtihad in the prophet's Era: The prophet SAW encouraged his companions to apply logical reasoning to problems not directly found in Quran and sunnah.

Once when a prophet saw intended to send Mu'adh ibn Jabal to Yemen. He asked how will you judge when the occasion of deciding a case arises? He replied I shall judge according to Quran. He asked if you do not find any guidance in Quran what will you do. He replied I will go according to sunnah. The prophet SAW asked if you do not find any guidance in sunnah, what will you do. He replied I shall do my best to form an opinion and I shall spare no effort. The prophet SAW then patted him on the chest and said: praise be to Allah who has helped the messenger of Allah to find something which pleases the messenger of Allah. According to Hadith

"If a judge passes judgement and strives to reach the right conclusion and get 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."

Scope of Ijtihad :- The scope of Ijtihad is broader and covers various aspects of life and society. Here is a detailed explanation.

- ① Personal matters: Ijtihad can be applied to individual and family issues where specific guidance may not be available. For example: scholars might use Ijtihad to address questions about new types of financial transactions, medical treatments or



personal conduct that were not present in the past. This helps muslims navigate modern challenges while staying true to islamic values.

② Social and community issues: As society evolves new social issues arise that need to be addressed. Ijtihad allows scholars to interpret islamic teachings to provide guidance on matters like gender relations, education and public behavior. For example scholars might discuss the ethical considerations of new technologies or social media from an islamic perspective.

③ Economic and financial matters: In the realm of economic and finance, Ijtihad plays a crucial role in developing islamic banking and financial systems, since many modern financial institution instruments were not around during the time of early islamic scholars. Ijtihad helps in creating guidelines that aligns with islamic principles, such as avoiding interest (Riba) and ensuring fairness in transactions.

④ Legal and judicial matters: Ijtihad is essential in the legal field, particularly in interpreting islamic law in context of contemporary legal systems. It helps in making legal rulings (Fatwa) that consider current societal norms and international laws while maintaining the integrity of islamic teachings.

⑤ Ethical and moral questions: New ethical dilemmas often arise with advancement in science and technology and culture. Ijtihad allow islamic scholars to provide answers to complex moral questions such as the ethics of genetic engineering, AI and environmental conservation, by relating them to islamic values.

(b) political and governance issues: ijma' also extends to political matters, where scholars may interpret Islamic teachings to provide guidance and on governance, justice and human rights. This includes discussion on the role of the state, the rights and responsibilities of citizens and the application of Islamic principles in governance.

Q.2: write a short note on the following

(a) Accountability in Islam: Accountability in Islam means that every person is responsible for their actions. Muslims believe that on the day of judgement everyone will be held accountable for what they did in this life. This includes not just major actions, but also smaller ones, like how we treat others and the intentions behind our actions. Islam teaches that being accountable encourage people to act with honesty, kindness and fairness. Islam teaches that everyone from the head of the state to a common man is accountable. According to Quran

"And the book will be placed and you will see the sinners fearful of its contents and they will say 'woe to us! what is with this book that leaves nothing small or big, but it has enumerated it, they will find everything they had done present. How Lord does not wrong anyone'.

"whoever has done an atom's weight of good will see it and whoever has done an atom's weight of evil will see it".

Overall accountability in Islam promotes personal responsibility and encourages believers to strive for good in their lives.

## (b) Characteristics of Islamic civilisation

According to Oxford dictionary civilisation is defined as "The process by which a society or a place reaches an advanced stage of social and cultural development and organisation".

Characteristics of Islamic civilisation are given below:

- ① Tawhid - Belief in the oneness of Allah. There is no deity except the Almighty Allah. He alone worthy of worship and all kinds of praises. Allah has no beginning no end - Allah has created everything from scratch without the help of any one. and he provides sustenance of all living things. Tawhid can be categorized into three types.
  - ① Tawhid / oneness in person.
  - ② Tawhid / oneness in deity.
  - ③ Tawhid / oneness in action.
- ② Tazkiyah al-nafs: means purification of and cleansing or purification of soul.
- ③ Ehsan: means to do beautiful things. it has two types
  - ① Ehsan with the creation of Allah
  - ② Ehsan with Allah (SWT).
- ④ Dignity of man: means equality or being worthy or honourable which signifies highest and noble position in a community.
- ⑤ Equality: men and women are equal in the eye of Allah.
- ⑥ Social justice: refers to equality and fairplay for every individual of Islamic society.
- ⑦ Tolerance means ethical and moral duty of Muslims to respect and peacefully coexist with peoples of different faiths, cultures and viewpoints.
- ⑧ Rule of law: means all citizens were subjected to the same law and no one was above the law.
- ⑨ moral values: - Islamic moral values are the principles and standards of behaviors that guides Muslims in leading a righteous and ethical life.