

Ans STATUS AND RIGHTS OF WOMEN IN ISLAMIC SOCIETY.

INTRODUCTION

The status of women in Islamic society is rooted in the teachings of the Quran and the Sunnah of Prophet Muhammad (PBUH). Before Islam, women in many societies including Arabia were deprived of even basic needs and rights; they had no inheritance, no marriage consent, they were treated like servants and often considered as property. Islam ~~through~~ threw lights ~~key~~ on women's rights by bringing revolutionary transformation granting women legal, social, economic and spiritual rights 1400 years ago at a time when most civilizations denied women equality and dignity. Abdullah ibn Amir Ibn As relates that the Holy Prophet (PBUH) said ~~that~~ The world is but a provision and the best provision of the world is a good woman.

HISTORICAL PERSPECTIVE.

WOMEN IN ANCIENT CIVILIZATION.

- In India, subjection was a cardinal principle. Day and night must women be held by their protectors in a state of dependence says Manu. The rule of inheritance was agnatic, that descent traced through males to the exclusion of females. Encyclopedia Britannica.

Athenian women were always minors, subject to some male - to their father, to their brothers or to some of their male kin. (Allen, E. A. history of civilization)

In Roman law a woman was even in historic times completely dependent. If married she and her property passed into the power of her husband. A woman could not exercise any civil or public office, could not be a witness, tutor, surety.

Before Islam, Arabs used to buried alive newborn daughter. They celebrated boys birth but got upset with daughter birth.

It may be noted that women were extended the Right to Vote by most of the European and ~~most of the~~ American states only in the 20th Century.

WOMAN IN ISLAM

SPIRITUAL ASPECT

The Quran provides clearcut evidence that woman is completely equated with man in the sight of God in terms of her rights and responsibilities. ~~Islam~~ ~~recognises men and women as equal~~

"Every Soul will be (held) in pledge for its deeds" (Quran 74:38)

Islam recognises men and women as equal before Allah in faith, worship, accountability and reward.

"Whoever does righteous deeds - male or female - and is a believer, We will grant them a good life" (16:97)

It shall not let the deeds of any does any you, male or female, go to waste.
(Al-Imran: 145)

Women have their own identity, they are believers responsible for their own actions.

SOCIAL RIGHTS

- a. Right to life and Dignity: Islam ended the pre-Islamic practices of female infanticide.
 - Quran & condemns it strongly.
(An-Nahl: 58-59)

RIGHT OF EDUCATION.

The Prophet said ~~also~~ that seeking knowledge is obligatory for every Muslim.

(Sunan Ibn Majah)

RIGHT OF MARRIAGE

A woman cannot be forced into the marriage.
The Prophet said:

"A woman cannot be married without her permission" (Bulchari)

RIGHT OF RESPECT.

The prophet said, "The best of you are those who are best to their women" (Tirmidhi).

RIGHT OF MAHR

The concept of Mahr in Islam is neither an actual or symbolic price for the woman, as was the in certain cultures, but a gift and protection.

And they (women) have rights similar to those (of men) over them, and men are a degree above them" (Al Baqarah)

ECONOMIC RIGHTS

Islam gave women financial independence centuries before modern laws.

RIGHT OF INHERITANCE. According to Islam women have right to own property and inheritance. In Sureh Nisa Quran clearly grants women a fixed share.

RIGHT OF WORK AND EARN. Women in Islam can work, run businesses and earn money. ~~Ida~~ Bibi Khadija (R.A) is clear example of businesswoman.

Mahr ~~also~~ only belong to woman's personal right.

LEGAL AND POLITICAL RIGHTS

Right to Property: Women can own, buy and sell property independently.

Right to legal Protection: Islam protects women's honour and forbids slander.

Right to Participation in Society: Women in early Islam participated in education, trade, medicine and public welfare. Even political consultation example is Umm Salama's advice in Hudaibiyah.

a. Rights as Daughters. Islam encourages kindness to daughters. Prophet (PBUH) said:

"Whoever raises two daughters well, they will be shield for him from the fire"

b. Rights as Wives: Women in Islam have right to maintenance, respectful marital life and can also seek divorce. According to Prophet (PBUH) the best one is who ^{is best} ~~treats~~ towards his wife.

c. Right as Mothers. Islam places mother at the highest level of respect.

"Even paradise lies underneath the feet of mother."

CONCLUSION: Islam transformed the status of women by granting them rights that were unprecedented in 7th century. The Quran and Sunnah emphasized the respect ~~of~~ dignity of women and protects her economical, political, social and spiritual rights.

⁴ Ans POLITICAL SYSTEM IN ISLAM

Islamic political system is built upon the foundational principles of sovereignty to Allah, Khilafah, Shura, justice and accountability. From the earliest period of Islamic history structural components comprised of Shura, Khilafah, Diwan, Hisbah and Qadi.

FOUNDATIONS OF THE ISLAMIC POLITICAL SYSTEM.

1. SOVEREIGNTY OF ALLAH.

Base of Islamic political system is the faith that sovereignty belongs to Allah. No one has absolute power except Allah. Leaders are ^{and servants} guards of peoples sent by Allah.

"The command is none but Allah"
(Sureh Yousuf: 40)

2. KHALIFAT.

The ruler in Islam is Khalifah or vicegerent. The term was used who succeeded Prophet (PBUH). The Khalifah will follow Quran and Sunnah and ensure the justice, safeguard values of Islam and protection of rights of people. The first Caliph Hazrat Abu Bakr said:

"Obey me as long as I obey Allah and His Messenger. If I disobey them, then you owe me no obedience."

3. SHURA.

The political system of Islam is consultative in nature. It does not permit dictatorship or one man rule. Quran instructs the Prophet (PBUH)

"And consult them in affairs. Then when you have taken a decision, put your trust in Allah."
(Sureh Aal-e-Imran: 159)

4. JUSTICE.

Justice is a divine command. A ruler must uphold just for all including muslim, non-muslim. No one is law, this was practiced in caliphate when Hazrat Umar (RA) appeared in court and accepted judgement passed by Qadi against him. Quran instructs.

"Indeed, Allah commands you to render trusts to who they are due and when you judge between people to judge with justice.

(Sureh Nissa: 58).

5. ACCOUNTABILITY.

In Islam rulers are accountable here and life hereafterwards. The concept of Mas'ooliyah (responsibility) governs the relationship between rulers and the ruled.

"Everyone of you is a shepherd and every one of you is accountable for his flock".

(Bulchari).

STRUCTURAL COMPONENTS

1. KHILAFAH:

Khalifah is head of state chosen or elected through mutual consultation. He leads state according to Quran and Sunnah.

2. MAJLIS AL-SHURA.

Comprising pious, learned and honest members, the Shura advises the Khalifah.

on policy matters. Unlike modern parliaments that create laws, the Shura in Islam interprets and applies divine law.

3. **QADI (JUDICIARY)**: Islamic governance rests upon independent judiciary. Judges selected based on their knowledge and integrity. They must not be impartial even against the ruler, pass the clear judgement.

4. **HISBAH**: This institution ensures that public life adheres to Islamic values. The Mutasib inspects the markets, regulates contracts, prevent impartially and ensures the smooth conduct in economic and social system.

5. **DIWAN**: Introduced during Caliphate Hazrat Umar (RA), the Diwan is responsible to ensure state revenues, military record and civil affairs.

RIGHT OF CITIZEN IN ISLAMIC POLITICAL SYSTEM.

Right to Justice: Justice is cornerstone of Islamic political system as emphasized by ~~Quran~~ Prophet (PBUH).
"The most beloved of people to Allah on the Day of judgement will be the just leader, and the most hated of people to Allah on the Day of judgement will be the tyrannical leader"

Right to Freedom of Belief: The Quran declares:

"There is no compulsion in religion. The right path has become distinct from the wrong"
(Al-Baqarah: 256)

This principle establishes freedom of belief as fundamental right in Islam.

Citizens have liberty to voice opinions. Prophet (PBUH) said: "The best form of jihad is to speak a word of truth in the presence of a tyrannical ruler."

Rights to Basic Needs. Islamic political system ensures that no individual is deprived of basic human needs such as clothing, food, security, house and education. The Quran emphasized social responsibility by commanding

"And their wealth there is a recognized right for the needy and the poor"
(Al-Zariyat: 19)

The Prophet (PBUH) said:

"The leader of a people is a guardian, and he is responsible for his subjects."

Right to Security and Peace. Quran guarantees the sanctity of human life: "Whoever kills a soul unless for a soul or for corruption in the land, it is as if he had slain mankind entirely. And whoever

saves one, it is as if he had saved entire mankind
(Al-Mawla: 32)

The political system of Islam, developed through Quran and sunnah is fundamentally oriented toward creating an accountable state and society. Islam provides a comprehensive model where ruler is servant of people, laws are fair, citizen's rights are protected.

MUSLIM UMMAH DELAY

CAUSES: INTRODUCTION:

The Muslim ummah once a global leader in knowledge, governance, science, trade and moral leadership, faces a decline in collective strength and global influence. From the Golden Age of Islam - marked by intellectual giants like Ibn Sina, Al-Farabi and Ibn Khaldun to powerful Ottoman, Mughal, and Safavid empires, Muslim shaped civilization. Today however, political fragmentation, socio-economic stagnation and weakened institutions have diminished ummah's standing. Understanding root causes is essential for rebuilding. By promoting unity, installing innovation and research in education, addressing socio-economic and political issues Muslim Ummah can revive as dignified and progressive nation.

CAUSES OF DECAY

i) POLITICAL FRAGMENTATION:

Over 50 muslim ~~states~~ majority states are often divided by ethnic, sectarian and geopolitical rivalries.

For example Saudi Arabi sunni majority country has conflicts with Iran which is shia muslim countries. Even in crisis Saudi Arabia do not help Iran. Recent example can be seen when Israel attack on Iran, Saudi Arabia did not offer help, not even words of sympathy.

- Absence of a unified voice on global issues weakens collective bargaining power.

ii) INTELLECTUAL DECLINE

Decline began when ijtihad (intellectual reasoning) was replaced by stagnation, imitation and rigid thinking.

Modern education system in many Muslim states lack quality, research, innovation and critical thinking. OIC report Muslim countries contributes < 2% in research output.

iii) ECONOMIC BACKWARDNESS. Many Muslim countries economies rely on raw-material exports (oil, minerals).

- lack of industrialization, value addition, technology advancement.

Widespread poverty, income inequality, corrupt and mismanagement has been observed.

iv) INTERNAL CONFLICTS:

Civil wars in Syria, Yemen, Sudan, Libya, Ethiopia are common. Quran warns:

"Fighting is worse than killing"

Extremism due to sectarian difference and terrorism related incidents are common.

According to RAND Report on extremism that extremism increases due to socioeconomic grievances.

v) POOR GOVERNANCE AND INSTITUTIONAL WEAKNESS

Authoritarianism, lack of rule of law, weak democratic institutions are common in most of muslim majority countries.

Limited protection of civil liberties, minority rights and women roles. In Islam Allah commands justice and rule of law:

"Indeed, Allah commands you to deliver trust to whom they are due"

vi) CULTURAL DEVIATION FROM ISLAMIC VALUES

- Early Muslim strength came from adherence to justice, equality, knowledge and consultation.
- Weak moral leadership and decline of collective social responsibility lead to decay of ummah

Date: _____

"You are the best nation raised for mankind
you enjoin what is right and forbid what is
wrong. (Quran: Al-Zumr 10)
Imran.

Ibn Khaldun notes that nations decline when
they lose social cohesion and moral purpose.

vii) EXTERNAL PRESSURES.

Colonialism reshaped muslim lands.

(Albert Hourani, A History of
the Arab Peoples)

Ongoing interference by global powers in
Middle East, Africa and South Asia.

• Strategic resources make muslim regions
hotspots for global competition.

SOLUTIONS FOR REVIVAL

i) STRENGTHEN UNITY

- Revitalize the OIC (Organization of Islamic
cooperation to act effective platform to voice
for muslim majority states.
- Promote economic blocs, joint defense projects
and shared technological initiatives.
- Encourage inter-sect harmony and dialogue

ii) INVEST IN QUALITY EDUCATION

- Reform outdated curricula, promote research, innovation and critical thinking.
 - Establish Muslim world research networks and scholarship programs.
 - Incentive innovation and digital literacy.
- As Quran emphasize $\$$ in knowledge:

"Read in the name of your Lord who created"
(Sureh Alaq: I)

iii) PROMOTE GOVERNANCE AND JUSTICE

Quran instruct justice: "Be persistently standing firm in justice"
(@ An-Nisa: 135)

- Strengthen institutions, ensure accountability, and reduce corruption.
- Adopt transparent democratic practices where possible.
- Encourage leadership based on Islamic values and ethics.

iv) RESOLVE INTERNAL CONFLICTS

- Prioritize diplomacy, mediation and peacebuilding.
- Address root causes poverty, injustice and exclusion.
- Counter extremism through educational and economic inclusion.

1) BUILD DIVERSIFIED ECONOMY; RESTORE ISLAMIC ETHICAL VALUES.

- Shift from commodity based to knowledge based economies.
- Promote intra ummah trade and indigenous industry. Invest in agriculture, renewable energy and digital economies.
- Reconnect with principle of justice, honesty, consultation and equality. Empower women and youth to strengthen economy.

CONCLUSION.

The decline of ummah results from internal weaknesses such as disunity, poor governance, intellectual stagnation and external pressures. However Quran and Sunnah provide principles, by following them every Muslim ummah can stand out strong and powerful in the world.

1)

ITIHAD

This is the source or methodology which gives Islamic law its adaptability to new situations and capacity to tackle all new issues and problems.

The word 'Ijtihad' derived from the root JHD, and literally means "Striving with full exertion. In Islamic legal terminology, it defines

"an attempt to choose, in the light of the Quran and the Sunnah, between two or more differing legal interpretations and to deduce, from the Quran and Sunnah, any new rulings in order to address new legal situations.

Ijtihad refers to re-application of Islamic principles in changing times

QURAN AND IJTIHAD

"O you who believe! Obey Allah, and obey the messenger and those of you who are in authority; and if you have a dispute concerning any matter, refer it to Allah and the messenger if you are (in truth) believers in Allah and the last Day. That is better and more seemingly in the end

(Sureh Nisa:59)

PROPHET AND IJTIHAD

Amr b. al-As reported that he heard Allah's Messenger (PBUH) as saying:

"When a judge gives a description by Ijtihad and gets it right, there are two rewards for him. And if he gave a judgement by Ijtihad but erred, there is one reward for him".

"Daily life has evolved radically since the last millenium, but there has been no accompanying development in mainstream Muslim legal theory"

(Mohammed Al-Haddad, Professor of in University, Tunisia)

INTEGRALS OF IJTIHAD:

The integrals of interpretative autonomy are 3 things:

- i) the exercise of interpretative autonomy itself;
- ii) the person carrying out the process (al-mujtahid)
- iii) the matter which is subject of interpretative autonomy (al-mujtahad fihi)

MUTAHID AND IJTIHAD CATEGORIES.

Both mujahid and ijtihad are of three kinds.

1. MUTAHID MUTLAQ:

Also called *hish-Shas*, absolute independence in legislation.

- First four caliphs are considered to be in this category but principally the great masters of four schools are recognized as Mujahid Mutlaq.

2. MUTAHID MUNTASIB: A jurist who operates within each school following its methodology but producing new solutions for new legal cases.

3. MUTAHID MUQALLID: A jurist who merely follows the rulings arrived at by the mujahids previously. However in issues in which he does not find an opinion of the founder, he exercises his own Ijtihad and issues a judgement.

FORMS OF IJTIHAD.

- Judiciary
- Muslim Scholars
- Parliament
- Institutionalization
- Mutual Consultation

"Moving the right of ijtihad from individuals representing schools of thought to an Islamic legislative body is the only form which consensus can take in modern times. This transition ensures legislative debates to benefit from the views of laymen who can perceive quite well life's affairs and in this way alone can we resurrect the strength to emerge from the lethargy reigning over our legislative systems, and move forward on the path of development."

(Allama Tabal, The Reconstruction of Religious thoughts in Islam)