

Q4:

I. INTRODUCTION

"indeed, Allah commands justice and forbids oppression"

(Al-Quran)

The Islamic political system was developed and set in the era of the Prophet. It was later followed by the Caliphs of Islam and implemented across the lands. The main essence of the political system is the focus on the establishment of a just state and society. Every leader of the Ummah had a primary focus on establishing impartial and equal institutions to provide true justice to muslims.

II. COMPONENTS OF ISLAMIC POLITICAL SYSTEM

The Islam political system consisted of several aspects:

(a) The Caliph as head of State

The Caliph or ruler was the supreme head, often selected by mutual consensus and Shura.

(b) Qazi / Judge of the courts

The judge was another component of the system, who insured that decision making was fair.

(c) Muhtasib

This was the officer that ensured fair practices within the markets and proper addressing of the concerns of consumers.

(d) Shura - council for consultation

The Shura was an integral component of political system. It ensured that all decisions were made by the consensus of companions.

III. PURPOSE OF A JUST STATE AND SOCIETY

(a) Accountability of the rulers without impunity

"Each of you is a shepherd and each is responsible for his flock"

(Al-Hadith)

All rulers are responsible for their people. There is no immunity from the law or from Allah. Each is supposed to answer for all his work.

(b) Ensures meritocracy in appointments

"The best one you can hire is the strong and trustworthy"

(Al-Quran)

The Quran clearly indicates that the principle of meritocracy needs to be followed in Islam.

~~There is no doubt~~

There should be no preference on any other aspect.

(c) Setting of an independent judiciary

The judiciary is supposed to be separate and independent from all forms of external influence. This is to ensure no pressure can be put on judges. Hazrat Umar diligently appeared in the court of Qazi Shuraikh to answer in front of the judge. Thus showing importance of independence.

(d) Equal rights to all regardless of caste, creed or religion

The Islamic system is based on equal laws and rights for all citizens. No one can be treated differently because of colour or religion. The Charter of Madinah gave equal rights to Jews, Christians and other people of different faiths. No discrimination under Islam.

(e) NO corruption or bribery

"Do not consume another
man's wealth unjustly,
nor bribe rulers"

(Al-Quran)

The Quran clearly forbids
all from taking bribes. Islam
has forbidden all forms of
corruption. This is to ensure
that systems are fair and
a just system is developed.

(f) Forbidding tyranny and oppression

Islam also forbids the
practice of tyranny. No one is
allowed to oppress others under
banner of Islam.

"Whoever harms a
non muslim under
covenant, I shall
be his adversary on
the Day of Judgement"

(Al-Hadith)

The Prophet forbade ill treatment
of all under covenant.

(g) Appointment of rulers through public consent

The appointment of rulers was also to be done according to public consensus. Muslims would take Bay'ah on the elected Caliph. This ensured that a democratic principle for selecting leader was established, to form a just state.

(h) Promoting public welfare - Maslahah

“Cooperate in righteousness and welfare”

(Al-Quran)

Islamic political system is based on promoting welfare of the people. Such welfare translates into a just society where everyone has access to equal resources and opportunities. Thus, Maslahah serves as an integral component of the system.

IV. RELEVANCE OF SYSTEM FOR CONTEMPORARY WORLD

(a) Lack of meritorious leaders

Muslim Ummah plagued with incompetent and non-democratic regimes. This Islamic system important.

(b) Rampant corruption and mis governance

many countries face illegal practices and inefficient systems that reward unethical behaviour.

(c) Compromised judicial structures preventing just society

The judiciary not independent as per the Islamic way. Thus decisions are influenced and justice absent. This Islamic system needs to be integrated yet again.

(d) Oppression of minorities and non-muslims

Current global regimes carry out persecutions and oppressions. This is not the way of Islam.

V. CONCLUSION

Islamic political system a message to global leaders.

A system that ensures a just state and society and promotes ~~over~~ equality within nations. Learning and implementing it can ensure peace and prosperity along with justice.

907.

I. INTRODUCTION

" Hold steadfast to
the rope of Allah
and do not divide "

(Al-Quran)

The Muslim Ummah has been facing a steady decline for quite a few decades. There are many reasons which include straying from teachings of Islam and forgetting the Sunnah of Prophet. Many countries have abandoned Islamic values, replacing it with that of the west. Several measures are therefore needed to ensure that the Muslim Ummah is revived.

II. CAUSES OF DECAY OF STATUS OF UMMAH

(A) Western economic system
and institutions.

Primary reason is the
adoption of western financial

system. These are marked by interest based systems. They create a cycle of debt once its employed. Such has an exploitative nature which has damaged the Muslim Ummah.

(b) Failing to follow the true Shariah

“Those in whose hearts is ^{deviation} ~~ambiguity~~ follow ambiguous verses”

(Al-Quran)

The Ummah has forgotten the true teachings of Islam. Many systems of governance are adopted by others while our own ways are forgotten and banished in modern day.

(c) Failing to stand against oppression of other states

“What is the matter with you that you do not fight for the

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oppressed men, women
and children.... ? ”

(Al-Quran)

Muslims have failed to
stand up against oppression towards
muslims and their territories.
This is evident in the state
of modern day Gaza or
previously the Middle East. Such
has caused decay of Ummah.

(d) Rampant division
and sectarianism

“ Those who break the
religion and divide
into sects, you have
nothing to do with them ”

(Al-Quran)

The Ummah is plagued
with rampant sectarianism
resulting in conflicts between
muslim countries. The example
of Saudi Arabia and Iran
is a prime example of
in-fighting between muslims,
leading to division and decay.

(e) Exploding wave of extremism and terrorism across Ummah

The muslim states are heavily disturbed by the grip of terrorist and extremist outfits. Such organizations use the name of Islam to carry out their agendas. This has marred Islam's image in the world leading to a degraded status of muslim countries in the world.

(f) Authoritarian regimes fuelling discontent and injustice

many muslim countries have forgotten the political and judicial system of Islam. Many consist of authoritarian regimes that control muslim populations in the absence of democracy. This has further led to the decline of muslim states and reduced their influence and standing in the world.

III. SOLUTIONS TO ADDRESS CAUSES OF DECAY

(a) Employing an interest free banking and financial system

"Allah has permitted trade but forbidden usury"

(Al-Hadith)

A strict move away from western dominated systems is required to ensure that the Ummah paves the way for its return of status.

(b) Integration of Islamic education and principles within system

Islamic education is necessary to build the next generation of muslim leaders and scholars. It needs to make sure that future muslims follow the principles of Islam from an early age and reverse the decay of status.

(C) United Stand and ~~and~~ coalition of muslim Ummah

"Believers are like
a single body...."

(Al-Hadith)

Muslims need to come together and unite against oppression and stand for rights of other muslims. It can be done by reinvigorating the OIC - organization of Islamic cooperation. It will help quicken the reversal of decay.

(d) Inclusiveness of minorities and other sects

The believers are all brothers in Islam. There is no discrimination on faith or appearance. Thus measures are required to ensure unity is maintained and an inclusive attitude is kept towards the whole Ummah.

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(e) Stronger Fatwas against extremist outfits and global awareness

"Beware of extremism in religion, for it destroyed those before you"

(Al-Hadith)

The Fatwas against extremist organizations needs to be strengthened. There should be no question on their separation of ~~the~~ from Islamic faith. Awareness, therefore, on the matter is necessary to ensure that global perception is not distorted. This will help improve muslim's image.

(f) Implementing concept of Shura and Legitimacy

"And consult them in their matters"

(Al-Quran)

Shura needs to be implemented within the Ummah to ensure democratic principles are followed and

Rules are upheld.

IV. CONCLUSION

The Muslim Ummah has been facing a decay of status for quite some time. There are many reasons including economic, political and social dynamics.

However, through measures like promoting transparency and implementing Islamic principles the Ummah can regain its lost status in the world.

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Q.8:

i) Ijtihad

I. INTRODUCTION

"Where a clear text exists, no opinion is accepted. Where text is silent, ijtihad begins"

(Imam Shafi)

The word ijtihad is derived from the root 'jhd', which means to strive. It refers to striving mentally to come up with a solution to modern problems. This is especially necessary in the modern day where certain situations arise in which primary sources of law are silent. Therefore, one turns to secondary sources of law.

II. APPLICATION OF Ijtihad

(a) When primary sources (Quran and Hadith) are silent

When there is no clear text in the Quran or Sunnah upon a matter, an individual can exercise ijtihad. This is usually relevant when the problem is non-religious or on something beyond the usual discourse of religion.

(b) Can be exercised by a jurist (Mujtahid) or an individual

Ijtihad can be exercised at individual level or by a jurist as well. One should, however, have some knowledge of Islam and deen. Especially for a mujtahid, he should possess deep knowledge of all Islamic matters.

III. TYPES OF IJTIHAD

i) Ijtihad Al-Nas

This basically refers to deducing rulings directly from the textual wording. Previous instances can be used to understand

the current ones.

ii) Ijtihad al-Qiyas

This refers to analogical reasoning. For example, the Quran has advised against intoxicants or khamar. Modern drugs induce similar conditions to that of intoxicants. Thus according to this, such drugs are prohibited.

iii) Ijtihad al-Istislah

This refers to Ijtihad for public welfare. Hazrat Umar once used this to ban the Hadd punishment during a famine. Thus the primary reason is to ensure public welfare.

IV. MODERN EXERCISE OF IJTIHAD

"The doors of Ijtihad need to be kept open so that Islam can respond to ever-changing needs of life"

(Allama Iqbal)

Several modern problems exist that entail the exercise of Ijtihad. Some are as follows:

a) Modern financial systems

This includes modern currency like Bitcoin and Cryptocurrency. Such problem does not contain any precedent and thus require Ijtihad.

(b) IVF births and modern processes in medicine

The use of IVF for births is becoming more common. Thus as technology emerges, newer ways are also becoming visible. This requires ijtihad.

(c) New situations in gender and social justice

The nature of employments, especially for women are also changing. Thus ijtihad needed to draw or show boundaries.

(d) Technological and artificial intelligence domain.