

HAMNA

**QUESTION : 01**

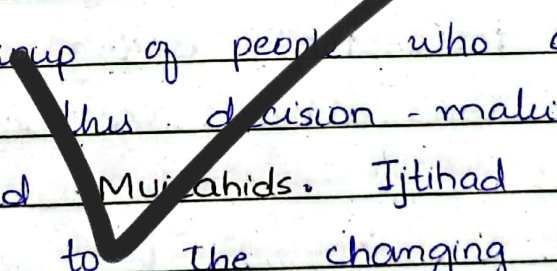
50 min

Elaborate the concept of Ijtihad and its principles.

**DEFINITION OF IJTIHAD :**

The word Ijtihad is derived from the Arabic root j-h-d, meaning to strive or exert force. In Islamic jurisprudence, it is defined as :

The process of making a legal decision based on the logical independent reasoning that are not explicitly mentioned or derived from Quran and Sunnah.

The group of people who are the part of this decision-making body are called Mujtahids. Ijtihad enables to adapt to the changing world trends and upcoming  to deal challenges.

**IMPORTANCE OF IJTIHAD :**

The rulings based on the independent reasonings that are not explicitly stated in primary sources primarily is ijthad, having its own vast significance.

Prophets Authentication  
of Ijtihad

Prophets encouragement  
of performing it

Existence during period  
of Righty Guided Caliphate

Islamic Financial System;  
product of Ijtihad

The use of ijtihad  
during Ottoman Empire

Aids muslims to grow  
intellectually during  
the Abbassid caliphate

## PRINCIPLES OF IJTIHAD :

### 1. Adherence to Sources

The foremost and significant principle of performing ijtihad is to consult from the authentic and primary sources of Islamic law (Quran and Sunnah).

The decision or interpretations must adhere to these, avoiding personal biased opinions and focus to particular school of thought.

## 2. Focus on Social Justice

Ijtihad emphasizes that the rulings must be from Quran and Sunnah aligning to the basic mode of promoting social justice, in order to avoid conflicts and extremism. It must take a moderate route that would be in the interests of whole community.

## 3. Flexible and Adaptable

The premise of ijtihad is that it is flexible according to the emerging trends and challenges, it can be changed. Secondly, viewing the contemporary world dynamics the need for a scholarly decision is required. As the Islamic financial system is based on the product of ijtihad.

## 4. Contextual Significance

The reason, history and the background events must be brought to focus while performing

ijtihad. The knowledgeable expertise must perform. This role who have sufficient information about Islamic jurisprudence and the content of revelation of any commandment of Allah in the Holy Quran.

As during the caliphate of Uthman, he laid down the principles of accountability and while compilation of Quran, he consulted the people of sound memory and having the knowledge of local context of a certain aspect.

### 5. Facilitating Consensus

Mujtahids must reach the consensus on emerging issues, fostering unity, strength and enriching the scope of the Islamic jurisprudence, leading to the diverse levels of public opinion.

Hazrat Ali was known for his wide knowledge of Islamic jurisprudence. His letters to governors illustrates the principles of promoting equity and justice, good governance,

accountability and making mutual consultations from knowledgeable scholars on certain matter before final decision.

## 6. Practical Application

Hazrat Umar was known for his system of accountability and good governance, strictly aligning with the teachings of Quran and Sunnah.

Hazrat Umar established public welfare and accountability system to ensure the fair and practical application of Ijtihad.

## CONCLUSION TO IJTHAD

Ijtihad holds significance in the modern world with its deep roots dated back from the period of Hazrat Abu-Bakar. It is the practice of formulating Shariah, pertaining to an issue, for which ruling is not found in primary sources.

Ijtihad is regarded as  
"LIVING SOURCE OF SHARIAH"

The need and importance is clear during the time of Holy Prophet:

When Prophet returned from battle of Ahzab, he said, "None should offer Asar but at Bani Qurayza". But for some it became due and they decided not to offer there and some offered at the spot. They said then that, intention of Prophet was not what you had understood. And when they were told to Him, he did not blame anyone of them.

## QUESTION : 02

What are human rights in Islam in accordance to the 'Status of Women' in Islam.

## HUMAN RIGHTS IN ISLAM :

Human rights at the basic refers to the universal, moral and legal norms protecting the individuals dignity, liberty and the basic necessities of human life.

Islam gave mankind all the essential human rights rooted deeply in the belief of oneness of God, who is the Giver and the Sustainer. They are the integral part of Islam that are guaranteed equally to men and women but before the advent of Islam, women were highly deprived of their rights and were subjected to inhumane treatment. As clearly mentioned in Quran;

"And when one of them is given the news of female infant, their faces darken and chokes with grief. He hide himself from people as given a bad news. Shall he keep it in humiliation or turn it into dust." Surah - An-Nahal

## STATUS OF WOMEN IN ISLAM :

The status of women in Islam is quite evident from the fact that

ISLAM IS THE FIRST RELIGION THAT HAS GIVEN WOMEN

## A PLACE OF UTMOST HONOR AND DIGNITY.

The Holy Quran is also the living example that talks explicitly about the rights of women. Allah Almighty has dedicated whole chapter to women **Surah An-Nisa** (chapter 4: The Women). It provides comprehensive guidance on women's rights from time of birth to death, the responsibilities, and role within the domains of family life, community or state level.

## SIGNIFICANCE FROM HIS FAREWELL PILGRIMAGE

The general respect and rights of women were given with the spread of Islam but Holy Prophet's Farewell Pilgrimage speech where he mentioned to be gentle with women, it elevates their status. Holy Prophet commanded:

**TO BE POLITE AND GENTLE  
WITH WOMEN AND FEAR  
ALLAH REGARDING WOMEN.**



# WOMEN RIGHTS IN ISLAM :

Right to Live

Right in education

Consent in Marriage

Inheritance rights

Equality , Justice

Right to Property

Trade and business

Right to remarry

Right for Khula'a

Basic needs

## RIGHT TO LIVE

The whole of mankind has the right to live a life, but women or females as their birth are either brutally killed or are sold in the market, as they are symbol of humiliation.

## RIGHT TO EDUCATION

When girls are given the basic right to live, then they must be given the access to education, along with the opportunity to teach or spread the knowledge.

SEEKING KNOWLEDGE IS  
OBLIGATORY FOR EVERY  
MUSLIM.

## RIGHT TO OWN PROPERTY

As a child, both son and daughter has their due inheritance property rights prescribed in Quran and Sunnah. So they must be given their share.

For men is a share of what they earn, and for women is the share of what they earn.

## CONSENT IN MARRIAGE

Women must be given the liberty to choose their lifepartner. Islam does not prohibit women of this right as it can be seen from the example of Hazrat Ayesha,

who herself sent the proposal for marriage.

And if a woman in her marriage is being brutally treated and is kept deprived of her rights, even then she has the right to leave her husband (khulaa).

## RANGE OF POSITIONS OF WOMEN

### AS MOTHER

"We have enjoined man to show kindness to his parents for his mother bears him, in hardship upon hardship and weaning of two years.

Give you thanks to Me and your parents, all will return to Me."

### AS WIFE

When a woman marries, her status is changed to wife. Nikkah gives very significant position to woman and it is considered as half of deen.

AS SISTER

"And if parents leaves neither ascendant nor dec. but has brother or a sister, then each one of them is a sixth. But if more than two, they share a third ..... This is an order from Allah and He is All-knowing and Forbearing."

## CONCLUSION

Islam upholds dignity, rights and equality of women as evident from the Quran and teachings of Holy Prophet. In essence, Islam is the only religion where women are honored, respected and valued of their full potential embodying harmonious balance between rights and duties.

TO WOMEN HAS BEEN GRANTED LOFTY STATUS, THE QURAN BESTOWS DIGNITY AND EQUALITY VAST.

## QUESTION : 03

### SHORT NOTES

Write note on dignity of mankind.

## DIGNITY OF MANKIND :

### LITERAL MEANING OF DIGNITY

The word dignity, in Arabic is often called as karamah, which means honor, respect and nobility. Literally, it denotes a state of being honored, encompassing the moral, spiritual and social aspects of human life.

Human dignity lies in being endowed with reason and free will, which distinguish man from other creations and make him responsible for his actions. (Imam Ghazali)

### DIGNITY OF MANKIND FROM ISLAMIC PERSPECTIVE

The concept of human ~~and~~ dignity is central to the teachings of Islam. Human beings are endowed with inherent dignity, regardless of

any discrimination. Holy Quran focuses on intrinsic values and guaranteed respect to all humans.

## QURANIC REFERENCE

Indeed, We have honored the children of Adam....

(17:70)

## PRINCIPLES OF DIGNITY IN ISLAM

### 1. Dignity : A Divine Endowment

All human beings are very much honored simply because they are the creation of Allah, and He created mankind in the best possible way.

We created man in the best of stature.

(95:4)

### 2. Mankind : Superior Creation

Humans are the only creation that is superior of Allah (SWT). He calls them as 'Amraf-ul-Makhloqat', the superior of all.

### 3. Man as vicegerents of Allah

Islam regards mankind as the vicegerents of Allah on earth, elevating his status and by entrusting peace, justice and the natural order. In Al-Baqarah, Allah says:

Indeed, I am going to place a successive authority on earth.

(2:30)

### 4. Angels to bow to Adam

The angels were commanded to bow to Adam as a signatory of respect and honor of mankind. Among all, Iblis refused to prostrate in pride and arrogance.

We said to the angels, 'Prostrate before Adam', they did. Except for Iblis.

(2:34)

### 5. Highest purpose of creation

Allah (SWT) created angels, jinn from fire and mankind from dust. The sole purpose of creation was to

obey his all commandments.

I did not create jinn  
and humans except to  
worship me.

(Zariat : 56)

## CONCLUDING WITH CAUSE OF DIGNITY

Mankind is endowed with  
unique intellectual and moral faculties.  
The act of bowing by angels raises  
the status of humans. The real  
reason and criteria of human  
dignity is the level of piouness.  
As Al-Quran mentions ;

"The most noble of you  
in the sight of Allah  
is the most righteous  
among you."

Allama Iqbal beautifully conceptualizes  
this concept as ;

ISLAM TEACHES DIGNITY OF  
MANKIND NOT AS ABSTRACTION  
BUT AS REALITY ; STEMS FROM  
RELATIONSHIP WITH GOD AND  
HIS FELLOW BEINGS .



## PART - B

What are the challenges to Muslim Ummah and solutions

## MUSLIM UMMAH :

The Muslims of the world are united by their common religion i.e. Islam. Islam means complete submission or surrender. They are like a one body, if one part of body is in pain, then the whole body suffers with it. Thus, there is unity strength in unity but an ummah can be shattered if without togetherness.

The collective community of Muslims worldwide, united by their shared faith in Islam and adherence to teachings of Holy Quran and Sunnah.

## CHALLENGES OF MUSLIM UMMAH

The Muslim ummah or any community when struck or hit with challenges and difficulties, it causes break by hindering the progress of that particular region.

## 1. LACK OF UNITY AMONG MUSLIMS

Unity is the strength of muslim Ummah bind together by their religion which discourages the division among each other.

### Sectarianism and Nationalist Division weakens ummah.

The importance of unity is evident from the quranic verse where Allah commands muslims to had rightly to the teachings of Islam.

### PROMOTING MUTUAL RESPECT AND SHARED VALUES

According to teachings of Quran and Sunnah, unity could be maintained by beliefs like Tauheed, promoting dialogues and mutual respect. These are the key aspects to sectarianism and nationalism.

## ECONOMIC CHALLENGES :

Widespread poverty and unemployment

Muslim world faces immense level of poverty hindering socio-economic developments problems.

Islam teaches economic justice, fair distribution of wealth & removal of poverty

Solution .

Islam advocates for Zakat and Sadqah to alleviate poverty and the needy ones.

Prophet (PBUH) encouraged hard work, fair trade, honest treatment of and with workers.

Muslims are urged to invest in economic development, entrepreneurship, and fostering a society where economic challenges are to be addressed collectively with adherence to Islamic principles.

## EDUCATION DEFECIT :

Low Literacy and Inadequate Education

Islam emphasizes importance of knowledge and education evident by first revelation to Holy Prophet. These issues hinder social, economic, and intellectual development.

Solution :

Islam encourages pursuit of knowledge as obligatory for every muslim. Hadith; Seeking knowledge is obligatory upon every muslim. Islamic teachings stresses the importance of both religious and worldly knowledge, encouraging balance that empowers Muslims to excel.

### POLITICAL INSTABILITY :

Corruption and Poor Governance

The Muslim Ummah faces significant political instability which led to weakend governance and external interference. It hinders the development and unity within Muslim world.

Solution :

Quran (4:58) advocates justice and the accountability in governance. Transparent leadership is based on Islamic principles can foster stability. The Quran & Hadith stress the need for leaders to be just, accountable and prioritize welfare of their

## NEGATIVE PERCEPTIONS :

Islamophobia and Misconceptions

Increased prejudice and discrimination against Muslims in various parts of world.

Media also often perpetuates negative stereotypes of Muslims affecting public image and leading to societal biases.

The association of 'Islam' with the terrorism and radicalism affects perception of Muslim Ummah.

Furthermore, misunderstanding of Islamic practices and beliefs contributes to negative stereotypes and cultural clashes.

Solution :

Muslims must embody true teachings of Islam engaging in peaceful dialogue & media outreach to counteract stereotypes.

## MORAL DECLINE :

There is a growing shift away from traditional Islamic values influenced by modernization, secularism & cultural changes.

And moreover, the rise of materialism & consumerism lead to prioritization of worldly gains over spiritual and moral values.

Solution:

Islam provides robust moral framework with Prophet emphasizing good character as hallmark of true believer.

## CONCLUSION

Thus, Islam provides comprehensive solutions to contemporary challenges facing Muslim Ummah. By adhering to Islamic principles of unity, education, justice and morality, the Ummah can overcome its obstacles and contribute positively to global society.

These solutions would also reinforce spiritual foundation of Ummah, ensuring progress in both this world & hereafter.

## QUESTION : 4

Define shariah and its sources:

# ISLAMIC LAW AS SHARIAH

Islam is the religion based upon the teachings of Holy Quran and Sunnah, derived from Allah (SWT) and His holy last prophet (PBUH). Islam is the complete code of life that provides guidance in every walk of life whether it be social, political, economic, individual or collective life spheres.

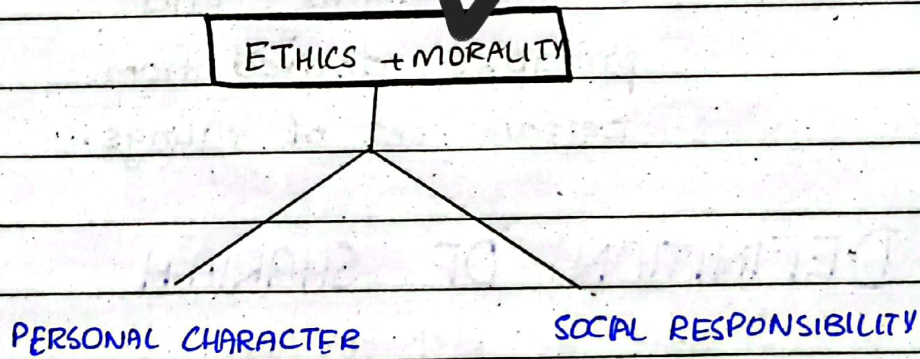
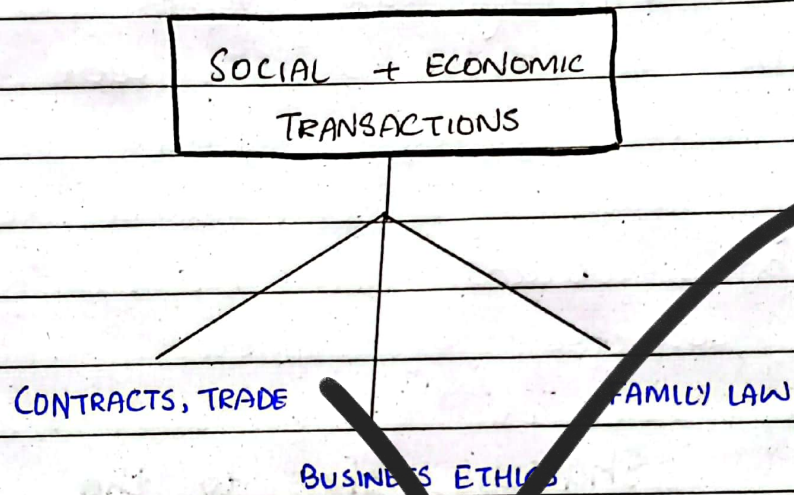
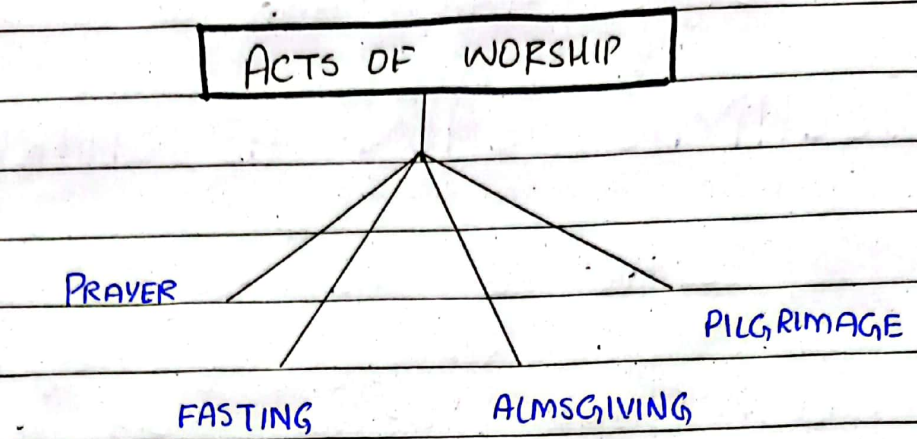
Shariah refers to the shared norms and principles derived from certain set of rulings.

## DEFINITION OF SHARIAH

Shariah is defined as :

The divine law of Islam that provides guidelines for individuals and societies on various matters ensuring justice, fairness and adherence to Islamic values.

# COMPONENTS OF SHARIAH



DISCRETIONARY PUNISHMENTS

HUDOOD



# SOURCES OF SHARIAH :

## SOURCES OF SHARIAH

PRIMARY

SECONDARY

TERTIARY

QURAN

IJMA

ISTIHSAN

SUNNAH

QIYAS

MASLAHA

ISTIHAD

ISTIHSAB

## PRIMARY SOURCES

MURSALAH

### QURAN - MOST READ BOOK

The Holy Quran is the word of Allah revealed upon holy prophet in the time span of 23 years. It comprises of 30 volumes and 114 chapter with complete guidance for all humanity.

## DEFINITION OF QURAN

Quran is the word of Allah (SWT) transmitted to the heart of Prophet through Jibreel and reported from time of Holy Prophet till now and forever.

## COMPILATION OF QURAN

Quran was revealed in time period of 23 years because it was new language, hard to comprehend, memorize and implement. These all factors were the reason of its gradual revelation. As soon as it was / part of it was revealed, Holy Prophet used to narrate directly to scholars or caliphs with sound memory. Then they would write on leaves, stones or animal skin. The responsibility of compiling Quran was handed to Hazrat Uthman Bin Sabit. It is in the same script and words as was revealed at its time without any changes because it is the word of God and He himself took its responsibility.

We ourselves have sent  
down the zikr, and  
We are there to protect.

Surah Hijr

## SUNNAH - WAY OF LIFE

Sunnah the second most important source of Islamic principle is primary one that refers to the way of life.

The way of life of Holy Prophet, based upon his actions, sayings and acknowledgments.

## SIGNIFICANCE OF SUNNAH FROM HOLY QURAN

8. In order to be successful in life and hereafter, following the footsteps of holy Prophet is the key because Allah himself says the one who obey the Prophet, he obey me. Holy Quran encourages to model our lives based on Sunnah of Prophet.

Indeed, in the Messenger of Allah, you have an excellent example to follow for him.....

# SECONDARY SOURCES

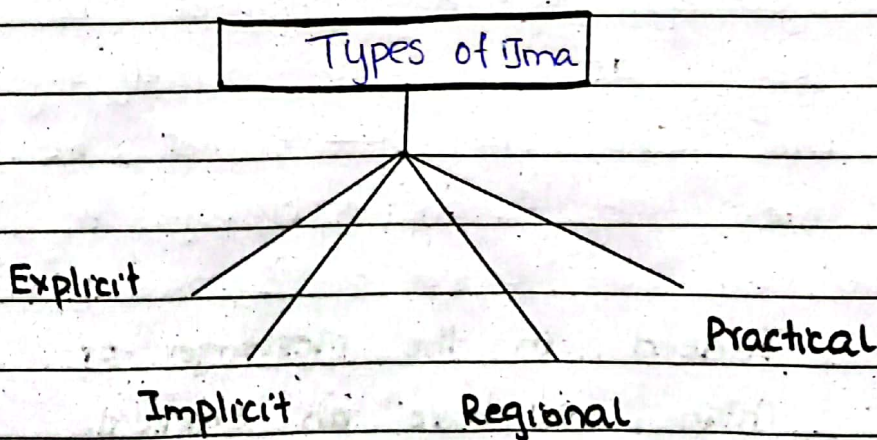
## IJMA - CONSENSUS

Ijma is derived from Arabic word meaning to determine or to agree and show consent on something. It is defined as;

The unanimous agreement of Muslim jurists, following demise of Holy Prophet based on Shariah ruling.

Ijma was first time practiced by in electing Hazrat Abu Bakr (RA) as the caliph of Holy Prophet.

## SIGNIFICANCE FROM QURAN AND SUNNAH

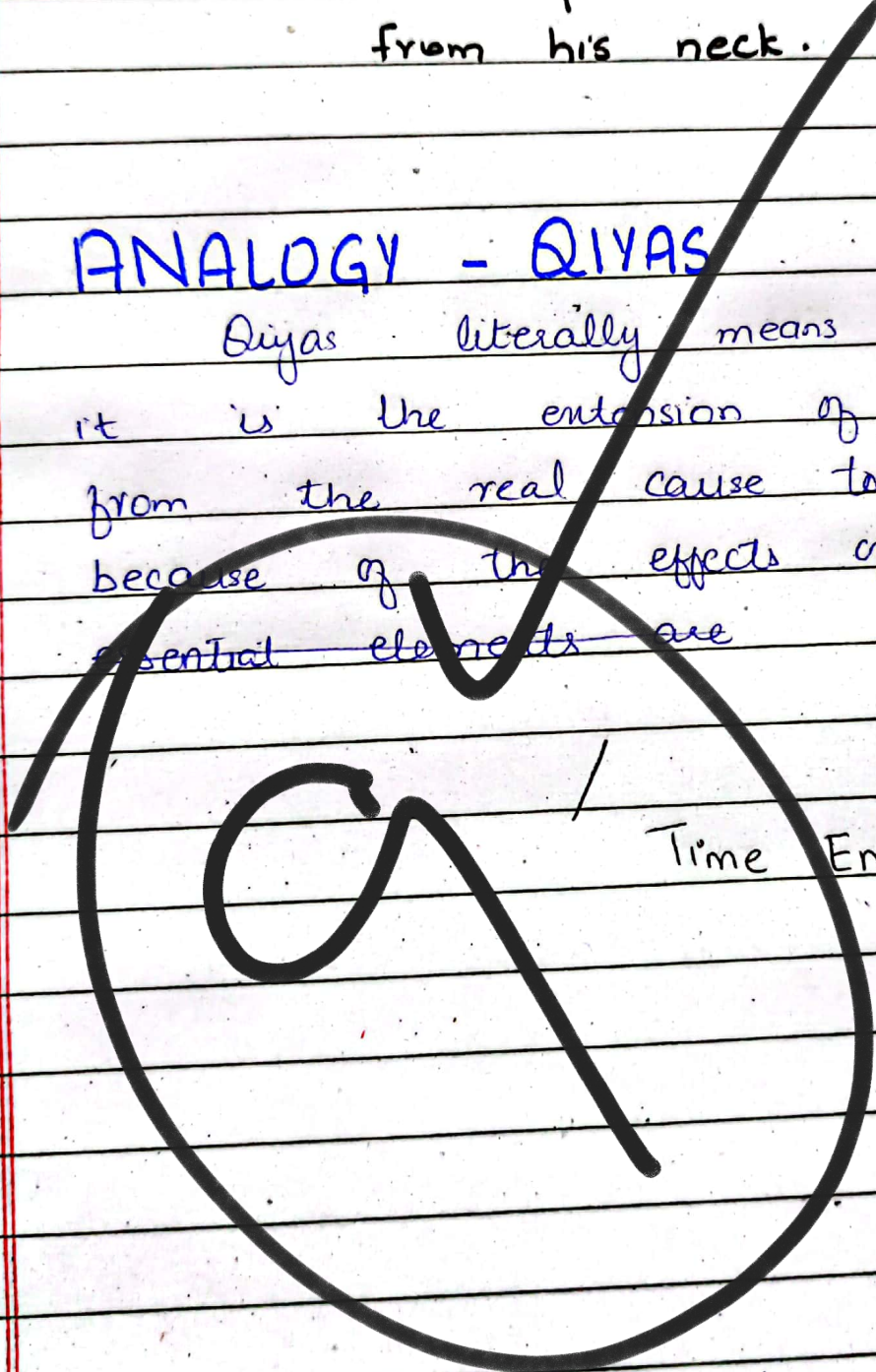


" He who separates himself a handbreadth from the community has cast off the rope of Islam from his neck.

(Mishkaat)

## ANALOGY - QIYAS

Qiyas literally means to measure, it is the extension of Shariah from the real cause to newer because of the effects of it. The essential elements are



Time Ended %