

Question no: 06

Human rights in Islam

Introduction:

Human rights in Islam are the divine injunctions stated in the Quran and Sunnah. Islam has honored the dignity of mankind bestowed by Allah, not by the state or society. The Quran stated that;

Indeed, we have honored the
children of Adam.
(17:70)

It establishes the universal declaration of human rights. Islamic teachings envisage the principles of dignity, justice, equality and freedom century before the contemporary human rights debate.

1. Human rights in Islam:

Pre-Islamic Arabia
(a baseline of violation)

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- female infanticide was common
 - tribal supremacy, revenge killings prevailed

Prophethood of Muhammad (PBUH) (610-632 CE)

- Revelation of universal human dignity
- Equality of all humans
- Rights of women

Charter of Madinah

(622 CE) -- First written human rights charter

- Protection of prisoners and war ethics

Rashidun Caliphate (632-661 CE)

- Institutionalization of human rights
- Welfare state model
- Protection of non-muslims

Modern Era - Universal Islamic Declaration of human rights

- Recognizes right of life, religion, equality, fair trial and welfare

2. Conceptual Foundations of human rights in Islam

i) Universal equality of human beings

Islam rejects discrimination on ethnic or racial lines. Equality is based

on piety, not on possessing material or any belongings. Holy Prophet (PBUH) in his last sermon declared that;

No Arab is Superior over a non-Arab, nor a non-Arab over an Arab except in piety.
(Hadith)

Before the God, all human beings are equal.

ہندو و صابو و ہندو و غن اب ہوئے
شہری سرکار میں اپنے کو سبھی آپ ہوئے

(ii) Protection of life:

In Islam, every life is sacred. It is inviolable except through ^{due} legal process. Islam criminalized murder and bloodshed before modern human rights frameworks.

In Quran Allah says;

He who kills a human being,
it is as if he had killed
all humanity.

(Al-Quran)

iii) Freedom of religion

Islam recognizes the personal right to choose, reject or return to faith. Even during the preachings of Islam, Our Holy Prophet (SAW) adopted this approach and convinced the non-muslims through his actions and conduct, without using any force.

Verily, there is no compulsion in religion.

(2:256)

iv) Right to justice

In Islam, everyone is entitled to get fair treatment regarding its proceedings. Even in the Quranic injunctions, it is illustrated that even the rulers are accountable to their people. It is validated during the caliphate era.

Hazrat Umar (R.A) held governors publicly accountable and removed them for injustice.

(V) System of Social Welfare

Islamic foundation lies on the principles of equality and harmonious society. For this reason, Islam

lays emphasis on taking care of the needy, poor. Islamic financial institutions such as Zakat and Ushr established for maintaining social equality among all segments of society.

As Allah says in the Quran;
Zakat is not charity but
a right of the poor.
(9:60)

vi) Rights of women

Islam granted women rights to own property, inherit and choose a spouse - 1,400 years before western societies. Before the advent of Islam, women were buried alive. Islam restored their status.

Holy Prophet (SAW) stated that;
The best among you is
the one who is best to
his wife.

vii) Rights of minorities and vulnerable groups

Islam encouraged humanized treatment of slaves. After the Battle of Badr, prisoners of war were fed and clothed equally with Muslims.

Freeing a slave is mentioned in Quran as a virtuous act.

Conclusion:

Islam presents a comprehensive framework of human rights. Through its Quranic injunctions, prophetic practices and historical models like the charter of Madina, Islam not only safeguards fundamental rights but elevates them as religious obligations to secure peace and harmony in the society.

Question no: 03

Shariah — its Sources

Introduction:

Shariah is Islamic legal and moral thought, represents the divine path ordained by Allah to guide human conduct towards justice and spiritual fulfillment. It is not only a legal code but a comprehensive framework that encompasses belief, worship, ethics, governance and social relations. Primarily, it is derived from Quran and Sunnah, and extended to ijma and Qiyas to ensure adaptability of Islamic law. Among

these, *Qima* holds a pivotal status as it reflects the collective reasoning of qualified scholars.

1. Definition of Shariah:

Literal meaning:

The word *Shariah* means a clear path to be followed. It represents guidance to spiritual and moral life.

Contextual meaning:

In Islamic jurisprudence, *Shariah* refers to the divine commands derived from the Quran and Sunnah that govern:

- ↳ belief (*Aqidah*)
- ↳ worship (*ibadah*)
- ↳ transactions (*mu'amalat*)
- ↳ morality (*akhlak*)
- ↳ state affairs (*Siyasah*)

Then, we put you (O Muhammad),
on a clear *Shariah* of command.
(45:18)

2. Primary Sources of Shariah

Followings are the primary sources of shariah;

i) The Quran

Quran is the revealed word of Allah and it is absolute and unchangeable. In Quran matters pertaining to belief, morality, crime, inheritance, marriage, justice and governance are elaborated. As Allah says in the Quran;

We have sent down to you
the Book explaining all things.
(16:89)

iii) The Sunnah

Sunnah includes the prophetic practices. It includes sayings, actions, and approvals of the prophet (PBUH). Through the Sunnah practices, ambiguous Quranic laws are clarified. Moreover, it provides details of worship, family law, and criminal justice.

The Holy Prophet (PBUH) said that;

I leave behind me two
things: the Quran and my Sunnah.
You will never go astray as

long as you hold fast to them.
(Hadith)

3. Secondary Sources of Shariah

i) Ijma

Ijma is the agreement of qualified jurists of the muslim community on a legal ruling derived from Quran and Sunnah after the Prophet's death.

→ Its nature is binding and authoritative.

ii) Qiyas

Qiyas is applying established rulings to new situations based on a shared effective cause.

For example, extension of prohibition of wine to modern narcotics.

4. Importance of Ijma in the Light of the Quran and Sunnah

i) Ensures doctrinal unity and prevents sectarian fragmentation

Ijma unifies muslims on essential matters of belief and law,

preventing harmful schisms.

Early consensus on:

- the compilation of the Quran
 - the finality of Prophethood
 - Basic pillars of worship
- created enduring Islamic unity.

Thus, Islamic unity is sustained through collective principles like *ijma*.

iii) Facilitates adaptation to new issues in contemporary times

In the modern world of biotechnology, finance and globalization, direct textual rulings are limited.

Ijma allows scholars to collectively derive Shariah responses to:

- Organ transplantation
- IVF and Surrogacy
- Digital currencies

Thus, *Ijma* serves as a bridge between classical law and modern challenges.

iii) Ensures continuity and stability of Islamic governance

Throughout Islamic history, rulers relied on *Ijma* to legitimize

political decisions:

- Selection of Caliph Abu Bakir
- Administrative reforms under Umar
- Constitutional principles in classical fiqh

In Islamic political system, Ijma acts as the constitutional backbone.

iv) Serves as a source of legislation when texts are silent

When Quran and Sunnah do not directly address an issue, ijma becomes essential.

Historically, ijma used for;

- Regulation of markets
- Taxation mechanisms
- Judicial processes

In contemporary states, parliamentary bodies and fiq councils often operate as instruments of modern ijma.

v) Ensures preservation of Shariah

Ijma protects the shariah from distortion. It preserves key rulings across centuries. As Allah says in the Quran;

Indeed, we have set down
the Reminder, and we will surely
guard it.

(15:9)

Consensus on the five daily
prayers and Quran compilation elucidate
preservation of Shariah through ijma.

vi) Prophetic encouragement of Shura

Ijma is institutionalized
consultation among qualified jurists
of the Ummah. The Quran says;

They conduct their affairs
by mutual consultation.

(42:38)

It provides model for Islamic
democratic governance and policy making.

vii) Connects classical scholars and modern institutions

Institutions like Fiq academies
(Al-Azhar, OIC, Darul-Ifta) rely on collective
fatwa. It legitimizes contemporary scholarly
bodies forming consensus.

Global Ijma on moon-sighting
frameworks, environmental ethics and public
health rulings e.g. COVID vaccination fatwas.

Conclusion:

Ijma stands as one of the most powerful instruments in Islamic jurisprudence. It serves as a source of law and a mechanism for adoption. Grounded in explicit Quranic principles and prophetic teachings, it ensures that the Ummah remains united and responsive to contemporary realities.

Question no: 07

Governance under pious Khilafat-i-Rashida

Introduction:

The period of Khilafat-i-Rashida (632-661 CE) is regarded as the golden era of Islamic political and administrative governance. The Caliphate of Abu Bakr, Umar, Uthman, and Ali (R.A) embodied prophetic principles and institutionalized model of accountable welfare-oriented and consultative rule. Their governance was a living manifestation of the Quranic injunctions:

Indeed, Allah commands justice, excellence, and giving to relatives.
(16:90)

This era forms the foundation of good governance model in Islam.

1. Main Features of Khilafat-e-Rashida:

Followings are the main features of Khilafat-e-Rashida:

i) Governance based on Quran and Sunnah

Under the pious caliphate, all legislations derived from the divine principles as encoded in Quran and Sunnah. This ensured consistency, moral legitimacy and protection from arbitrary rule.

As the Holy Prophet (PBUH) said:

I leave among you two things;
you will never go astray as long
as you hold fast to them:
the Quran and my Sunnah.

ii) Consultative governance

In Khilafat-e-Rashida, decision making was done through consultation. It was through the majlis-e-Shura consisting of Senior Sahabah.

Caliph Umar (R.A) institutionalized

Shura for legislation, taxation and military affairs.

iii) Accountability of the ruler

All the caliphs considered themselves answerable to Allah and the people. Citizens openly questioned rulers thus reflecting political transparency.

Hazrat Umar (R.A) narrated;

If a mule stumbles on the banks of the Euphrates, I fear Allah will ask me why I did not pave the road for it.

iv) Equality before Law

During the era of pious caliphate, justice was witnessed across society. No one was considered above the law.

Hazrat Umar (R.A) summoned the governor of Egypt after he punished a Christian unjustly. It depicts that even the governors were accountable of their actions.

v) Establishment of a welfare state

The states under the pious Caliphate took responsibility for the poor, widows, elderly and disabled. For this purpose, Hazrat Umar (R.A) during his caliphate established Bait-ul Maal welfare system to cater the needs of the poor through food rationing and pension schemes.

vi) Transparent fiscal management

Under the pious caliphate, detailed registers of revenue, salaries, and public expenditures were maintained. Hazrat Usman (R.A) standardized the Diwan (bureaucracy) based on accountability and professional ground-record-breaking.

vii) Ethical leadership

The Rashidun caliphs lived modest lives. Umar (R.A) slept on the floor; Hazrat Abu Bakr (R.A) donated almost all his wealth for the state.

2. Governance under Khilafat-e-Rashida

a) Strong judicial system with independent Qadis

During the pious Caliphate, judges were independent of executive interference. Hazrat Umar (R.A) separated judiciary from governance and appointed Qadi Shuraih with full autonomy. Thus, judicial independence became institutionalized.

b) Public participation and open-door governance

The Caliphs maintained direct communication with the people. Hazrat Umar (R.A) would walk the streets at night to inspect people's needs. Also, Hazrat Ali (R.A) used to hold open gatherings for grievances.

c) Administrative decentralization

Large regions such as Egypt, Iraq, Persia were governed by trained administrators.

Hazrat Umar (R.A) governance model included;

- Civil records
- Accountability reports
- Complaint Courts

→ Public inspection tours

Even, Hazrat Umar (R.A) dismissed governors for misconduct regardless of their military fame.

d) Expansion of public infrastructure

Hazrat Usman (R.A) expanded Masjid-e-Nabwi, constructed wells and canals, and improved water access. The famous **well of Rumah**, which he purchased from a Jew was made free for public use. The Holy Prophet (SAW) called it;

"a well in paradise for Usman"

This shows the philanthropic governance model of pious caliphate.

e) Strict anti-corruption measures

During the caliphate of Hazrat Ali (R.A); when his governor of Basra, Usman ibn Hunayf, attended a luxurious banquet, Ali (R.A) wrote to him;

How can you ~~divin~~ dine lavishly while around you are many who have no bread?

He (R.A) dismissed several governors who misused public funds.

This shows zero tolerance policy against corruption, being adopted by the caliphs.

Conclusion :

Khilafat-e-Rashida serves as a timeless model of Islamic governance. It envisages the principles of justice, consultation, equality, transparency and welfare state. Its legacy remains the blueprint for Islamic political thought and contemporary governance.

Question no: 08

Jihad: types and Importance

Introduction:

The term Jihad derives from the Arabic root J-H-D meaning to strive, struggle or exert utmost effort. It encompasses a comprehensive moral, spiritual, intellectual and collective struggle for righteousness. It serves as a means of purifying the self, defending justice, and protecting human dignity. Jihad is the source of cohesion for the Ummah, promotes peace and protects the human dignity and justice.

1. Literal meaning of Jihad:

The word Jihad comes from the Arabic root J-H-D which means;

- to strive
- to exert effort
- to endure hardship with purpose

2. Contextual meaning

In Islamic law, Jihad expanded from a general struggle to a comprehensive moral, spiritual and collective effort to uphold truth.

This includes;

- Self-purification
- Speaking truth against injustice
- intellectual struggle
- financial sacrifice

It is a multi-dimensional concept undertaken for the pleasure of Allah.

3. Scholarly definitions of Jihad

- i) The greatest jihad is the struggle against the soul's desires, and the lesser jihad is fighting those who oppress.

(Imam AL Ghazali)

He stressed the spiritual aspects against^{as} the foundations of all other forms.

Ibn. al-Mawardi defined Jihad as:
Armed jihad becomes obligatory when oppression threatens the safety of muslims or their freedom to practice faith.

He frames Jihad-al-Qital as a defensive and regulated duty.

4. TYPES OF JIHAD:

(i) Jihad al-Nafs (struggle against self)

This Jihad is ~~the~~ considered the greater jihad. It includes resisting desires, purifying the heart and cultivating virtue.

As Allah says in the Quran,

As for those who strive in our cause, we shall guide them to our ways.

(Al-Quran)

ii) Jihad bil-ilm (Struggle through knowledge)

It involves conveying truth, combating ignorance and promoting justice. Scholars like Ibn Kathir classify teaching, reforming society and speaking truth as legitimate forms of Jihad.

iii) Jihad bil mal (Struggle with wealth)

This form of jihad involves charity, social welfare and supporting collective good. It includes financial support for welfare, defense, and social uplift.

Strive with your wealth and
your lives in the cause of Allah.
(9:41)

iv) Jihad bil-Saif (Armed Struggle)

It is a lesser form of jihad that is to fight to eliminate oppression but under strict ethical rules. It aims at defense, protection of religious freedom and resisting tyranny.

Allah says in the Quran;

Fight in the cause of Allah those
who fight you, but do not transgress.
(Surah Baqra)

5. Importance of Jihad

i) Moral and Spiritual purification

Jihad al-Nafs strengthens self-discipline and moral integrity as it is a continuous struggle to improve one self and get rid of bad habits, thoughts and actions.

ii) Promotion of peace

Jihad is meant to eliminate tyranny, to restore justice and to prevent chaos. The Holy Prophet (SAW) once said that;

Help your brother whether he is oppressed or the oppressor - stop him from oppression.

(Hadith)

This indicates Jihad's role in peacebuilding.

iii) Development of character

iv) Strengthening the muslim community

v) Preservation of religious freedom