**NAME :- SUMMIA KHAN PROGRAM:- BDF**

**ROLL NUMBER :- 15466 SUBJECT:- ISLAMIAT**

QUESTIONS:-

QUESTION #1:-

Write down a detail note on ijma?

ANSWER #1:-

IJMA:-

DEFINE:-

Ijma means Consensus or agreement.

In Islamic law, the universal and infallible agreement of either the Muslim community as a whole or Muslim scholars in particular.

EXPLANATION:-

It has two literal meanings:

1. ‘Determination’ and ‘ Resolution’ i.e. to decide and determine a matter and is possible from one person.

2. ‘Agreement’ and ‘Consensus’ i.e. to agree on something, and requires two or more people.

In the technical sense Ijma is deemed as: The consensus of the ‘Mujtahids’ from the ummah of the Prophet pbuh after his death in a determined period upon a rule of Islamic law.

Hadith: often cited as proof as Ijma “My ummah will never agree upon an error”

Unlike Primary sources, does not have a divine element to it.

**Purpose Of Ijma:-**

Ensures the correct interpretation of the Quran, and the faithful understanding of the Sunnah:

Since a question as to whether the law deriving from the Primary sources has been properly interpreted will always be open to a measure of uncertainty and doubt, especially in cases of deduction of new rules through analogy or Ijtihad.

Only Ijma can put an end to this doubt, since when there is Ijma on a ruling this becomes decisive and infallible and not open for question.

It has been primarily regarded as a source for conservatism and preserving the heritage of the past.

Although, it has been argued that Ijma can be a source for also an instrument of tolerance and of the evolution of ideas in such directions as may reflect the vision of the scholars to the light of the fresh educational and cultural achievements for the community.

“Clearly this principle (Ijma) provides Islam with the potential for freedom of movement and a capacity of evolution. It furnishes a desirable corrective against the dead letter of personal authority” universal acceptance, to ensure consensus amongst the Muslim ummah in their practise of Islam.

**Conditions of Ijma:-**

1. The agreement or consensus must take place between ‘mujtahids’ : i.e. those who have attained the status for Ijtihad. (An agreement among those who have not reached this status, or are not qualified will not constitute Ijtihad)

2. The agreement must be unanimous among the mujtahids : however small the minority may be it will not amount to Ijma, since there is the possibility that the minority opinion may be correct.

Some jurists consider a consensus amongst majority as valid Ijma, when being opposed by a minority, their jurists consider an agreement of the majority a persuasive point, however do not call it Ijma .

3. All the jurists participating in Ijma, must be from the ummah of Prophet pbuh : ummah of an earlier Prophet will not constitute Ijma, cited on contextual evidence

4. The agreement must have taken place after the death of the Prophet : an agreement during his lifetime is not considered Ijma; if the Prophet pbuh agreed with the Companions on an issue, then he was the source of the rule [Sunnah] not Ijma

5. The agreement must be among the mujtahids of a single determined period, even if subsequent jurists opposed them : reason is that Ijma depends on unanimous agreement, and this would only be possible in a determined period like a generation

6. The agreement must be upon a rule of law, the ‘hukm shari’ - the rule must state that a certain thing is prohibited, permitted, valid, or void : thus an agreement upon rules of grammar in Arabic is not Ijma, nor an agreement upon national propositions, like creation of the universe - all non-legal matters are excluded from the domain of Ijma

7. The Mujtahids must have relied upon a sanad for deriving their opinion : a sanad is an evidence in one of the accepted sources of law i.e. Quran or Sunnah : this appears to take away from the strength of Ijma as an independent source, whilst it is obvious that jurists will agree on a rule relying on evidence, however if it is a condition, then it appears to be the sanad that is the source of law however.

The strength of Ijma lies in the agreement itself, and thus the condition of a sanad is to ensure that the jurists have undertaken proper Ijtihad to arrive at their opinion [conditions suggested by some jurists; not majority]

8. The death of those jurists who participated in the Ijma : quote the example of Hadrat Ali in the case of the sale of the ummahat al-awlad, they maintain that Ijma cannot be treated as final as long as the participating mujtahids are alive :

Majority view is more practical, and does not see this as a condition, since otherwise people would have to wait for many years to finally benefit from the decision come to.

9. The Ijma should have been transmitted to the later jurists by way of tawatur : since Ijma is a definitive evidence, its mode of transmission should also be definitive :

Majority of the jurists do not accept this as a condition.

**Types of Ijma:-**

1. Explicit Ijma ‘Ijma Qawli’

2. Tacit Ijma ‘Ijma Sukuti’ Explicit Ijma:

This is where the legal opinions of all the jurists of one period converge (unite) in relation to a legal issue, and each one of the mujtahids states his opinion explicitly

This may happen when all of them are gathered in one session, and an issue is presented, and they collectively express a unanimous agreement; explicitly

Or where an issue is raised in a certain period and all the jurists, in turn, issue similar fatwas independently and at separate times : this allows more flexibility, and makes the existence of Explicit Ijma more realistic and practically possible, since not all the mujtahids need to be in the same place.

Tacit Ijma:-

This takes place when some mujtahids, one or more, issue a verdict on a legal issue and the rest of the mujtahids come to know of it during the same period, but they keep silent; they neither acknowledge it nor refute it expressly.

**Conditions for Tacit:-**

The silence must be free of all external indications that point to agreement or disagreement : if an indication of some sort is found that conveys agreement then Ijma is explicit rather - if however an indication is found that points to disagreement, no Ijma can be said to have taken place.

**QUESTION #2:-**

In the light of Quran write down a note on truth?

ANSWER #2:-

**TRUTH:-**

**DEFINE:-**

In Islam, truthfulness is the conformity of the outer with the inner, the action with the intention, the speech with belief, and the practice with the preaching.

EXPLANATION:-

In the Quran one finds that it is one of the characteristics of true believers and particularly the prophets.

Truthfulness in the Quran is not only mentioned to praise prophets (the best models of human conduct) but it also appears praising others.

Truthful manifested itself in the life and characteristics of Prophet Muhammad (PBUH) that people called him (even before he became a prophet) Al-Ameen meaning the truthful or trustworthy.

Even his enemies, such as Abu Sufian (before he became Muslim) was asked by the ruler Hercules what Muhammad teaches them and Abu Sufian answered he teaches us

worship God,

to pray,

to be truthful,

to be chaste

and to be kind to our relatives.

As for the Next Life, through God’s Grace and Mercy, the obedient ones - practitioners of truthfulness - will reach a station in Paradise alongside those most fortunate of souls mentioned in the revelation.

***“And whosoever obeys God and His Messenger, such will be in the company of those whom God has blessed: the Prophets, the truthful ones, the martyrs, and the righteous.  And how excellent a company are such people!” (Quran 4:69)***

In fact, truthfulness is an essential attribute of every single prophet who graced the earth.  We are told in the Quran:

***“And mention in the Book, Abraham: surely he was a most truthful Prophet.” (Quran 19:41)***

***“And mention in the Book, Ishmael: surely, he was a man true to his word, and he was a Messenger, a Prophet.” (Quran 19:54)***

***“And mention in the Book, Enoch: surely he was a most truthful Prophet.” (Quran 19:56)***

And God confirmed the truthfulness of these words of His Beloved Messenger with His Own True Word:

**“For Muslim men and women, for believing men and women, for devout men and women, for truthful men and women, for patient men and women, for humble men and women, for charitable men and women, for fasting men and women, for men and women who guard their chastity, and for men and women who engage much in God’s praise: for them has God prepared forgiveness and a great reward.” (Quran 33:35)**

**The Quran And Tradition Of The Prophet (PBUH) That Says About Untruthfulness:-**

Untruthfulness and lying are both mentioned in the Quran and in the sayings of Prophet Muhammad (PBUH) as one of the worst vises.

In a hadith the Prophet (PBUH) said “The worst betrayal is to tell a lie to a brother of yours while he trusts you and believes in you.”

It was narrated that there was no act that the Prophet hated more than the act of being untruthful.

In one of the sayings of the Prophet (PBUH) he considered lying as one of the three major characteristics of a hypocrite.

**“Three are the signs of a hypocrite:**

**When he speaks, he lies;**

**when he makes a promise, he breaks it;**

**and when he is trusted, he betrays his trust.”**

**The Virtue Of Truthfulness:-**

The Prophet says “Be truthful because truthfulness leads to righteousness and righteousness leads to Paradise.”

He also said “a person should tell the truth and keep trying to tell the truth until it is written with God that he is a person of truth.”

And he said “Beware of lying because it leads to transgression and sinful excess and excess leads to the hell fire and the person who lies and tries deliberately to lie until it is written with God that he is a liar.”

**Benefits Of Truthfulness:-**

Truthfulness has been mentioned in the Quran as related to iman (faith in God).

It is mentioned as an attribute which enhances the moral character of the believer.

Truthfulness is one of the divine attributes, one of the attributes of God.

For example in the Quran in ([4:87](https://www.islamicity.org/quransearch/?ref=4:87)) “Whose word can be truer than Allah’s.”

As the Prophet (PBUH) said we should as believers try to immolate some of the attributes of God.

God is the Creator and we can nor be creators but we can try to emulate the moral characteristics.

On the Day of Judgment the Quran says ([33:24](https://www.islamicity.org/quransearch/?ref=33:24)) “That Allah may reward the men of Truth for their Truth.”

“Forgiveness, which is something that a believer aspires to as it is connected with truthfulness, is mention in [(33:35](https://www.islamicity.org/quransearch/?ref=33:35)) as it describes the characteristics of the believers and says in the end for them has Allah prepared forgiveness and great reward.”

**QUESTION #3:-**

Explain what is Qiyas?

**ANSWER #3:-**

**QIYAS:-**

**DEFINE:-**

When a Jurist compares a new situation which is not mentioned in the holy Quran an Sunnah with that situation which is already mentioned in the Holy Quran & Sunnah with some reasoning it is known as Qiyas.

**EXPLANATION:-**

Qiyas has been accepted as a fundamental source of Sharia law along with Ijmāʿ and secondary to the Qur'an, and the Sunnah.

Qiyas is meant to find convenience in religion

Qiyas is based on Qur’an and/or Sunnah

Qiyas is meant to discover Divine Law regardless to facilitation and inconvenience.

**Types Of Qiyas:**

Qiyas can further be classified into following types:-

Qiyas-e-Jalli, here illat is clear, it is also called manifest analogy.

Qiyas-e-Khafi, her eillat is not clear and one has to work hard in order to find illat, it is termed as concealed analogy. It is also called Istehsan (Juristic Preference) by some jurists.

**Functions of Qiyas:**

There are two main functions of Qiyas:

To extends the Law

To discover the Law

**Elements Of Qiyas:**

Following are the main elements of Qiyas i.e.

**ASL:**original case from which analogy is drawn.

**FAR':**parallel or fresh case

**ILLAT:**effective cause/ ration logic

**HUKM:**This law applies to parallel text (some divide it further into Hukm-e-Asli and Hukm-e-Far').

**Example Of Elements:-**

These elements can be understood through following examples.

Prophet (PBUH) said, "The murderer will not inherit". But what about bequest, if one murders the testator?

Murdering the predecessor in the case of inheritance is -- ASL

While murdering the testator is -- Far'

Crime is -- ILLAT

HUKM-E-ASL is prevention from inheritance while HUKM-E-FAR' is deprivation from bequest, established through Qiyas.

WINE -- Prohibited:

Drinking wine (Original Case) -- ASL

Narcotics (New Case) -- FAR'

Intoxicating effects (Effective Cause) -- ILLAT

Prohibition (The Ruling) -- HUKM

**Conditions For Validity Of Qiyas**:-

Jurists have provided many conditions for the validity of Qiyas, such:-

The textual injunctions about original case should not be exceptional.

The original case must not be specific for some particular person or facts.

Law of original case should not contradict human reason.

Law must be extended on legal grounds

The analogy must not result against Quran and Sunnah texts.

A repealed text cannot be base or subject of analogy.

The Hukm should not have been abrogated.

The Illat of Asl should be found in Far'.

New case must not be covered in Texts.

The deduction merely based on general policy of law is not allowed.

**Subject Matter of Qiyas:-**

Rational questions relating to rights of men.

Punishments for newer crimes

Things relating to human nature.

Rules of Shari'a in new circumstances

**Example of Qiyas:-**

Pronouncement of *Aameen*in loud or low voice during prayers.

Proof of Marriage.

Punishment of whoredom.

**Conclusion:**

When Texts (Quran or Hadis) are not clear on any issue , the rational sources come and play their role. As per Sunni jurists, Qiyas is one of the most important among the rational sources. In Qiyas a jurist tries to find out the effective cause of a hukm in the texts and then renders the two cases equal inn terms of hukm.

**QUESTION #4:-**

In the light of Quran and sunnah explain justice?

**ANSWER #4:-**

Justice In Islam:-

DEFINE:-

Justice refers to equality in giving rights and in enduring by obligations without discriminations for any reason, either for religion, race or color.

EXPLANATION:-

Justice in Islam means giving equal rights and treatment to others.

Justice is a moral virtue and an attribute of human personality.

Justice is close to equality in the sense that it creates a state of equilibrium in the distribution of rights and duties, but they are not identical.

Allah has commanded us to protect the rights of others,

to be fair, and just with people,

to side with the one who is under oppression, to help,

to be fair with the needy and orphans,

and to be just and not go beyond the boundaries set by Allah, even with our enemies.

We are required to be fair and just in all circumstances, and in all situations.

We must establish justice in society.

This is the law of our Creator.

**Justice: The Law of Allah**

Establishing justice is the law of Allah.

It is part of the balance which Allah has created.

1. Allah has created the balance of justice in this world. This is His Divine Law.

2. We are not permitted to transgress against the system of balance that Allah has created.

3. Allah has commanded us to establish weight with justice, and ordered us to refrain from falling short in keeping this balance.

**Allah Is Just:-**

Amongst the Great Names and Attributes of Allah is Al-Hakam, which means, “The Judge”. Allah is the Most Just, and He judges the affairs of His beings with full justice.

“Surely Allah does not do any injustice to men, but men are unjust to themselves.”(Surah Yunus: 44)

We understand from the above ayat that Allah is just, and He does not do injustice to mankind.

It is men who do injustice to themselves.

Not only is Allah just and fair, but He is so just, that He will not even do the injustice to the weight of an atom.

Allah will only multiply our good deeds, and will reward us for that. SubhanAllah, how Merciful Allah is!

He gives us ALL that we ask for, and there is no way we could possibly count all of our blessings.

It is mankind, who is unjust, and ungrateful to the bounties of Allah.

**Justice According To Quran:-**

In Islam Justice is considered to be the supreme virtue.

The one and only purpose of sending the prophets was to establish Justice in the world and end injustice.

By doing justice means giving everyone his right.

But this simple statement covers all the complexities of life in their endless and ever-changing relations; all the allurement; all the conflicts and problems.

To guide the people, Allah sent down the Prophets with clear signs, the Book, and the Balance.

The Book contains the revelations that spell out what’s fair and unfair or right and wrong. From Holy Book, we can understand what is right or wrong and what Allah has commanded us.

Quran has asked to fear Allah and establish justice with an enemy as well.

Allah is All-Watchful, observe everything, and will hold a person accountable for an inch of injustice if happened. In other words, you cannot do injustice even when you are dealing with the enemy.

**In the verse of Holy Quran Allah says:**

**“ Indeed, Allah loves those who act justly.”**(Quran 60:8).

Allah has asked His worshippers to maintain the system of justice even if the conditions and circumstances are against family and kindship.

**Quran narrated it as:**

**“O you who have believed, be persistently standing firm in justice, witnesses for Allah, even if it be against yourselves or parents and relatives. Whether one is rich or poor, Allah is more worthy of both….”** (Quran 4:135).

**Allah Has Commanded Us To Be Just and Fair:-**

Allah has commanded in explicit words the importance of standing up for justice.

Before Islam, the Arabs were living in a state of ignorance.

Their loyalty was to themselves, their families, their own tribes, even when their own were committing great injustices.

Allah then sent down this verse, commanding the Muslims to be just, **even** if it goes against themselves, their parents, their kith and kin, and whether they be rich or poor.

**Justice According To Sunnah Of Prophet (PBUH):-**

The Prophet (SAW) asked to be just and kind.

He (SAW) always had to deal with people and their affairs as a supreme judge, reformer, apostle, and leader of Muslims.

In conducting Justice our beloved Prophet (SAW) made no distinction between believers and non-believers, friends and foes, high and low.

Justice An Essential Part Of Islamic Teachings:-

Justice is an essential part of Islamic teachings and should be part of every faith messenger.

The foundation of a territory is justice that Allah has loved for His worshipper and commanded His messenger too.

Those who will neglect justice will in the lowest steep of hell and the oppressed get their due rights.

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