

The Role of Muslim Families in the Multi Ethnic Society of Srilanka

A Perspective of Maqasid as Sharia.

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Abstract

Maqasid as sharia is a field which finds a massive growth during these past decades tremendously. Maqasid includes the wisdom behind rulings. They are also good ends that the laws aim to achieve by blocking or opening certain means. Maqasid are also the group of divine intents and moral concepts upon which the Islamic law is based. Maqasid as sharia plays a fundamental role in the much needed 'contemporarisation' of Islamic law. As far as Srilanka, there is a strong need in learning and applying Maqasid as sharia in all aspects. There has always been a veil in-between all the other communities in this homeland. And we witness the adverse results of a closed system prevailing in the Muslim community in the name of religious riots and ethnic conflicts. The Muslims of Srilanka have to view this home as a space of testimony Dar as Shahathah; no more closed windows, the doors should be widely opened for all other communities to get to know who Muslims are and how their lifestyles are. The families are the backbones of producing well enriched personalities and Vicegerents of almighty. It is where all the concepts are embedded in the minds of new comers. If the families themselves are testifying Islam that is the testimony for whole Srilanka to express what is Islam. If the Srilankan Muslim families testify Islam from the very minute degree, a more correlated, coexisted Srilanka will be formed in the future. In such a way, this research tries to bring out the ways in which Muslim families could testify Islam in Srilanka as an abode of testimony.

Key words: Maqasid As Shariah, family, Abode of Testimony

Background

Srilanka is a multi-ethnic country where all the ethnic groups live together in diversity. Yet, there remains some misconceptions among the non-Muslims about the image of Islam and Muslims of this island. While the Muslims are expected to be the nation of testimony (ummath as shahada) they fail to testify themselves along with Islam.

Although the Muslim minority countries were identified to be the Dar Al Harb in the early part of this century, later on as Dar al Dawa by some scholars, the present identification of the space of testimony (Dar as Shahathah) seems to be more applicable to the Srilankan context.

Thus, the Muslim families play a crucial and fundamental role in the space of testimony in testifying Islam to the non-Muslims living around them. The family is a basic and powerful institution in testifying Islam. The testimony begins and develops from the structure of a family.

The Islamic Sharia has highest goals behind its laws and jurisprudence (Maqasid al Sharia). The family itself comes under those highest goals as well, itself has some goals (Maqasid al usra). The Muslims families residing in a non-Muslim majority country have some additional Maqasid along with general Maqasid al usra. In such a way, this paper would try to find out the role of Muslim families in Srilanka in the diverse nature and the Maqasid of such families in Srilanka being a nation of Dar Aashaadha. (A space of Testimony).

Research Problems

The Muslims society of Srilanka is facing numerous challenges from other communities in this homeland. The closed nature of Muslims certainly pave way for such a deviation. Therefore, how could the Srilankan Muslim society express its values by being a land of testimony? Could this be possible by the Muslim families?

Literature review

As far as the literature review, there was a documentation on the topic of *فقه المواطنة للمسلمين في اوروبا* of Abdul Majid Annajjar. And as the concept of Dar as Shahada in novel, there are no any other direct researches made on the topic itself.

Objective of this work.

The purpose of the present study is to contribute to an understanding of the actual and potential roles Muslim families play in testimony of Islam on the basis of Maqasid as Sharia in the island.

Specific objectives are

1. To clarify the general objectives of families of Islam(Maqasid al usra al Aammah)
2. To assess the structure of a family in terms of Maqasid

To focus on the specific goals of families in the space of testimony

Limitation

The overall objective of the research design was to explore the role of Muslim families in Srilanka.

The limitation of the study was:

Focusing on manifesting some external phases of testimony of a family particularly. Details on The dissolution of marriage contract and the effects are not discussed deeply in the study.

Methodology.

The research methodology of this research work is qualitative methodology. The descriptive analysis was approached through the work. The data collection was done majorly from secondary sources like books, journals, research papers, documentations and websites.

Discussion

The structure of family in Islam

The family is the primary unit of the society consisting of individuals. the family itself is an institution which nurtures, up brings, schools, polishes a bright , social, mental ,physical and spiritual foundation and groundwork with certain missions an visions. In the same way, the family is the bridge upon connecting the two generations whereas unless the family unit prevails, the gap in the generation may la to a massive corruption and destruction of individuals and social structure. Likewise it is the social unit of every individual and social structure. It is the primary social unit of every individual. Everyone takes the very first step from mother’s womb into the family, and learns language, values, norms of behavior, psychological move and more.

The family is a unique structure in Islam. Islam finds it more crucial system in upbringing the tasks by His Vicegerents; human. It’s not merely a man of satisfying animal instinct nor a place of rest alone. But Islam draws marvelous structure with ultimate goals to b yield from the institution of family.

In Islam family is not for the purpose of family alone. There are divine intelligence and wisdom behind it. No any other structure in Islam plays such a role in the very same way. The family in Islam is erected upon the pillars of a holy bond and a mutual contract of tranquility, love and kindness in between two hearts.

“By another sign He gave you wives from among yourselves, that you might find rest in them, and plant love and kindness in your hearts. Surly there are signs in this for thinking man.”⁹

Maqasid Al Usra

There are certain Objectives of Family (general Maqasid al usra)

- Producing a generation of qurratha aayun
- Producing leaders of the pious

⁹ Sura ar Room

- Systemizing the gender relationship
- Protection of human race
- Spiritual and psychological ease and tranquility
- Chastity
- Preservation of the religion in the family
- Emphasizing the structure of a family
- Emphasizing the economical pattern

But along with those major Maqasid some particular Maqasid are applied for a diverse community where Muslims are integrating with other societies. There becomes the need of shahada (as a maqsad) while interrelating with other societies. So the role of families in Srilanka takes another stride in applying the unit of family.

Based upon the concept of Abdul Majid Annajjar he put forwards two Maqasid for a family living with other communities

- التماسك الاجتماعي social cohesion
- الشهادة علي الناس testimony

Social cohesion.

The family is the unit from where starts the contribution to the society and nation. The family should participate in nation building and for the progress of nation, the family should be more useful for the development of a society, whoever it may consists; Muslims or non-Muslims.

Testimony of Islam to all the communities

This is a very important *Maqsad* of family. A family depicts the image of Islam. However the family resembles its image, so the other communities understand that to be the real image of Islam. If it's expressing the real image; more beneficial to them themselves and to other communities, the testimony is good and positive. But if the family fails to testify Islam, the other communities would certainly misunderstand Islam. So there is a greater role for families in testifying Islam in multi dimension.

The context of Srilanka cannot be simply decided to be the house of infidels (Dar ul Kufr), neither it can be demonstrated as the house of Dawa (dar ul Dawa as put forward by Qaradawi and Alawani)) as this terminology has more criticism as islamifying Srilanka- not allowing the nature of Diversity to prevail. And finally we tend to call this island to be the space of Testimony (Dar Asshahadah) where the citizens are free to follow their own religion and free to preach their own religion while exercising contribution to the nation, testifying Islam in all aspects of Maqasid like justice, protecting human

rights, equality, freedom, orderliness, mutual understanding, corporation, international peace on justice, developing civilization on earth.

Findings

The research tries to find out the ways in which a family can be a testimony. This can be pointed out as the systematical process of marriage in Islam, the clear declaration of duties and responsibilities of a husband , wife, mother, father and children ,the worshipping environment, the learning environment, the green environment, the active participation of all the members of a family, the sharing and caring nature of a family, the neutrality in the life style of a family, the hygienic food pattern of a family, the cleanliness of a family, the team work of a family, the responsibility of a family, the playing nature if a family, the importance to women security ,the process of spending time with children and wife, the habit of eating together, teaching children the patriotism, guiding the children to contribute to nation, having good ties with non-Muslims in a Muslim family. All these can certainly be testimony of Islam in the land where Islam is new to many.

Conclusion

Maqasid as sharia is a solution for most of the problems and conflicts in the homeland of Srilanka. While Islamic guidance governs the Muslim Family automatically, that will be an exact role model for all other families thereby testifying Islam.

It's a plain truth and a timely prime need that the Muslim society has to be a society of testimony. Whenever the Muslim society and family turns to be the testimony for all the societies that will be the real solution for all the knots in the society. The Muslim youth have to concentrate on all the suggested findings before their marriage thereby leading to a testifying family in the future. Though there are some Muslim families then and there around the island, if the youth focus on such a study for their life, certainly there will be a testifying society in few years.

Recommendations.

- Formation of well veteran scholars and research based society.
- Many of The researches have to be done on Maqasid as Sharia.
- The universities and research forums have to be ready for presenting researches related to this concept
- Have to try to solve the current issues through Maqasid as Sharia.
- There is a strong need in promoting this field in Srilanka.
- This field should be applied in the real life of Muslims particularly in Srilanka

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