



Cambridge International AS & A Level

ISLAMIC STUDIES

9488/02

Paper 2 Islamic Law (*Shariah*) and its Application

For examination from 2021

MARK SCHEME

Maximum Mark: 50

Specimen

This document has **16** pages. Blank pages are indicated.

Generic Marking Principles

These general marking principles must be applied by all examiners when marking candidate answers. They should be applied alongside the specific content of the mark scheme or generic level descriptors for a question. Each question paper and mark scheme will also comply with these marking principles.

GENERIC MARKING PRINCIPLE 1:

Marks must be awarded in line with:

- the specific content of the mark scheme or the generic level descriptors for the question
- the specific skills defined in the mark scheme or in the generic level descriptors for the question
- the standard of response required by a candidate as exemplified by the standardisation scripts.

GENERIC MARKING PRINCIPLE 2:

Marks awarded are always **whole marks** (not half marks, or other fractions).

GENERIC MARKING PRINCIPLE 3:

Marks must be awarded **positively**:

- marks are awarded for correct/valid answers, as defined in the mark scheme. However, credit is given for valid answers which go beyond the scope of the syllabus and mark scheme, referring to your Team Leader as appropriate
- marks are awarded when candidates clearly demonstrate what they know and can do
- marks are not deducted for errors
- marks are not deducted for omissions
- answers should only be judged on the quality of spelling, punctuation and grammar when these features are specifically assessed by the question as indicated by the mark scheme. The meaning, however, should be unambiguous.

GENERIC MARKING PRINCIPLE 4:

Rules must be applied consistently e.g. in situations where candidates have not followed instructions or in the application of generic level descriptors.

GENERIC MARKING PRINCIPLE 5:

Marks should be awarded using the full range of marks defined in the mark scheme for the question (however; the use of the full mark range may be limited according to the quality of the candidate responses seen).

GENERIC MARKING PRINCIPLE 6:

Marks awarded are based solely on the requirements as defined in the mark scheme. Marks should not be awarded with grade thresholds or grade descriptors in mind.

Generic levels of response descriptors

These level descriptors address assessment objectives (AOs) 1 and 2, and should be used in conjunction with the indicative content for each question in the mark scheme.

Assessment objectives**AO1 Knowledge and understanding**

Demonstrate knowledge and understanding of Islamic teachings, texts, beliefs and practices including their relevance for individual Muslims and communities.

AO2 Analysis and evaluation

Analyse, evaluate and discuss evidence, points of view and issues in Islam.

Generic marking principles

- (a)** Examiners should use the performance summary statements at the top of the descriptors to help to identify a level which matches the candidate's response. However, the final decision on the band and the mark within the band should be made on the basis of **all** the descriptors in the level and not primarily using the performance summary statement.
- (b)** Examiners should start at the lowest level, if the answer meets all the criteria they should then move to the next level and so on. The Examiner should repeat this process until there is a match between the overall answer and the level descriptor. Examiners should use a best-fit approach when deciding upon the level, it is possible for a different level to be chosen for each AO.
- (c)** If the Examiner identifies all aspects of the level descriptor within the answer then the highest mark for the level should be given. Examiners should also make reference to the indicative content when deciding on the mark within a level to ensure that there is sufficient relevant content evident within the answer for the level and mark. Examiners should be prepared to credit material in answers which is not contained in the indicative content.
- (d)** The Examiner may need to make a judgement within a level or between two or more level statements. Once a 'best-fit' level statement has been identified, use the following guidance to decide on a specific mark:
 - Where the candidate's work **convincingly** meets the level statement, you should award the highest mark.
 - Where the candidate's work **adequately** meets the level statement, you should award the most appropriate mark in the middle of the range.
 - Where the candidate's work **just** meets the level statement, you should award the lowest mark.

AO1 Knowledge and understanding grid

(For Questions 1(b), 2(b), 3(a) and 4(a))

Level	AO1 Knowledge and understanding	Marks
Level 4	<p>Detailed accurate knowledge with good understanding</p> <ul style="list-style-type: none"> • Uses a range of detailed, accurate and relevant knowledge. • Demonstrates understanding through a well-developed response. • Fully addresses the question. • Good understanding of the wider context, if relevant. 	9–10
Level 3	<p>Mostly accurate knowledge with some understanding</p> <ul style="list-style-type: none"> • Uses a range of mostly accurate and relevant knowledge. • Demonstrates understanding through a developed response. • Addresses most aspects of the question. • Some engagement with the wider context, if relevant. 	6–8
Level 2	<p>Partially accurate knowledge with limited understanding</p> <ul style="list-style-type: none"> • Uses a range of knowledge which may be partially accurate. • Demonstrates limited understanding through a partially developed response. • Attempts to address the question. • Attempts to engage with the wider context, if relevant. 	3–5
Level 1	<p>Limited knowledge and basic understanding</p> <ul style="list-style-type: none"> • Identifies a limited range of knowledge which may not be accurate. • Demonstrates basic understanding through a limited response. • Response is relevant to the topic, but does not directly address the question. • Little or no reference to the wider context, if relevant. 	1–2
Level 0	No relevant material to credit.	0

10-mark grid for AO2 Analysis and evaluation

(For Questions 1(c) and 2(c))

Level	AO2 Analysis and evaluation	Marks
Level 5	<p>Alternative conclusions with analysis of points of view</p> <ul style="list-style-type: none"> Analyse the importance and/or strength of different points of view in detail. Use accurate evidence to support a coherent and well-structured discussion. Coherent conclusion to the question which evaluates knowledge and points of view and assesses alternative conclusions. 	9–10
Level 4	<p>Coherent conclusion supported by evidenced points of view</p> <ul style="list-style-type: none"> Discuss different points of view in some detail. Use accurate evidence to support a well-structured discussion. Coherent conclusion to the question which evaluates knowledge and points of view. 	7–8
Level 3	<p>Clear conclusion with different points of view</p> <ul style="list-style-type: none"> Recognise different points of view and discuss at least one in some detail. Use accurate evidence to support discussion. Clear conclusion to the question which is linked to a range of knowledge and points of view. 	5–6
Level 2	<p>Basic conclusion with a supported point of view</p> <ul style="list-style-type: none"> Discuss one point of view. Use supporting evidence for one or more relevant points. The support may not be wholly relevant or accurate. Attempted conclusion to the question which is linked to knowledge and/or a point of view. 	3–4
Level 1	<p>Limited interpretation with a point of view</p> <ul style="list-style-type: none"> State a point of view. Little or no supporting evidence. Attempted interpretation which may not directly address the question. 	1–2
Level 0	No relevant material to credit.	0

15-mark grid for AO2 Analysis and evaluation

(For Questions 3(b) and 4(b))

Level	AO2 Analysis and evaluation	Marks
Level 5	<p>Alternative conclusions with analysis of points of view</p> <ul style="list-style-type: none"> Analyse the importance and/or strength of different points of view in detail. Use accurate evidence to support a coherent and well-structured discussion. Coherent conclusion to the question which evaluates knowledge and points of view and assesses alternative conclusions. 	13–15
Level 4	<p>Coherent conclusion supported by evidenced points of view</p> <ul style="list-style-type: none"> Discuss different points of view in some detail. Use accurate evidence to support a well-structured discussion. Coherent conclusion to the question which evaluates knowledge and points of view. 	10–12
Level 3	<p>Clear conclusion with different points of view</p> <ul style="list-style-type: none"> Recognise different points of view and discuss at least one in some detail. Use accurate evidence to support discussion. Clear conclusion to the question which is linked to a range of knowledge and points of view. 	7–9
Level 2	<p>Basic conclusion with a supported point of view</p> <ul style="list-style-type: none"> Discuss one point of view. Use supporting evidence for one or more relevant points. The support may not be wholly relevant or accurate. Attempted conclusion to the question which is linked to knowledge and/or a point of view. 	4–6
Level 1	<p>Limited interpretation with a point of view</p> <ul style="list-style-type: none"> State a point of view. Little or no supporting evidence. Attempted interpretation which may not directly address the question. 	1–3
Level 0	No relevant material to credit.	0

Question	Answer	Marks
EITHER 1(a)	<p>State <u>five</u> rights of women according to Islam.</p> <p>AO1 – Knowledge and understanding</p> <p>Answers may include some of the following ideas, but all valid material must be credited.</p> <p>One mark should be awarded for each response.</p> <ul style="list-style-type: none"> • Right to an education • Right to have a career/business (e.g. Khadija) • Right to an inheritance • Right to be protected (e.g. by husbands within marriage) • Right to have financial independence • Right to consent to or choose marriage partner (not forced) • Right to divorce her husband • Right to practise her religion • Credit reference to Shi'i perspectives 	5

Question	Answer	Marks
1(b)	<p>Describe inheritance for women according to Islamic law (<i>shariah</i>).</p> <p>AO1 – Knowledge and understanding</p> <p>Mark according to the AO1 – 10 mark levels of response marking grid for knowledge and understanding.</p> <p>Answers may include some of the following ideas, but all valid material must be credited.</p> <ul style="list-style-type: none"> • The Qur'an gives a general guide that from what parents leave behind there is a share for men and a share for women. • Candidates might quote evidence from the Qur'an 4:11 which states: 'Allah (thus) directs you as regards your children's (inheritance): to the male, a portion equal to that of two females: if only daughters, two or more, their share is two-thirds of the inheritance; if only one, her share is a half. For parents, a sixth share of the inheritance to each, if the deceased left children; if no children, and the parents are the (only) heirs, the mother has a third; if the deceased left brothers (or sisters) the mother has a sixth. The distribution in all cases is after the payment of legacies and debts. Ye know not whether your parents or your children are nearest to you in benefit. These are settled portions ordained by Allah and Allah is All-knowing, All-wise.' (Yusuf Ali) • On one occasion one of the Ansar died leaving a wife and three daughters. His male cousins came and took all the possessions. The widow came to the Prophet (pbuh) who slept on it and then advised there should be a share for the women. • If there is one sister of an heir by relationship then she may receive a sixth; if more sisters they share a third. If a man dies childless and has only a sister, she may inherit a third; if more, they share two thirds. Although these instructions come from the Qur'an, some scholars interpret them as applying to certain situations rather than in general, and rule that women may also inherit an equal share. • There are some differences between the schools of thought if a man dies during the process of divorce, with the Maliki school granting rights to the wife (or ex-wife) regardless. • Credit details of inheritance in various cases and for various female relatives (including in the case of grandmother, cousin, etc.) as appropriate. • Also give credit to other schools of Islamic jurisprudence (<i>fiqh</i>), such as Twelver Shi'i. 	10

Question	Answer	Marks
1(c)	<p>'Islamic jurisprudence (<i>fiqh</i>) should consider local cultural practices (<i>urf</i>)' Discuss this statement with reference to different points of view.</p> <p>AO2 – Analysis and evaluation</p> <p>Mark according to the AO2 – 10 mark levels of response marking grid for analysis and evaluation. Answers may refer to any Islamic religious theory or teaching. Candidates may propose, analyse and evaluate some of the following arguments. All relevant arguments must be credited.</p> <ul style="list-style-type: none"> • The term <i>urf</i> refers to local cultural habits. It is stated in the Qur'an that God made the different peoples of the world so that they may know one another, so it may be seen as natural to consider local differences. • However, the Qur'an is the first source of <i>shariah</i> and the Hadith or saying of Muhammad (pbuh) the second. Nothing can overwrite what is said in these texts. As the revealed word of God for all time, the Qur'an takes precedence. It is not acceptable for a local community to contradict the Qur'an or Muhammad (pbuh), who sets a perfect example, because of local tradition. • However, not all matters are strictly laid down in the Qur'an and Hadith. In moving on to consider the <i>ijma'</i> of the scholars and analogy with similar situations, the next two sources of <i>shariah</i>, local cultural practices might be taken into account in discussion. There is room for a variety of opinion where matters are unclear. • Candidates might apply the <i>fiqh</i> of inheritance for women and discuss whether local cultural practices (<i>urf</i>), such as in countries where women are given equal rights, should also be recognised in <i>shariah</i>. Credit examples where relevant from local secular systems of law and how this might affect interpretation of <i>shariah</i>. • Good answers might consider examples. In some countries local marriages are performed in different ways and not registered by national authorities, but <i>fiqh</i> might consider these when allocating shares for divorce or inheritance. Rules of dress might consider what best demonstrates the principle of humility and modesty within the local culture. Credit local examples given where appropriate. • The best answers might focus on the word 'consider' and discuss the relative consideration local culture might be given depending on the situation of Muslims and how clear injunctions given in the primary sources of <i>shariah</i> are. 	10

Question	Answer	Marks
OR		
2(a)	<p>Identify the daily prayers according to Islam.</p> <p>AO1 – Knowledge and understanding</p> <p>Answers may include some of the following ideas, but all valid material must be credited.</p> <p>One mark should be awarded for each response.</p> <ul style="list-style-type: none"> • Morning (<i>Fajr</i>). • Lunchtime (<i>Zuhr</i>). • Afternoon (<i>Asr</i>). • Evening (<i>Maghrib</i>). • Late evening (<i>Isha</i>). 	5
2(b)	<p>Explain the timings of the daily prayers according to one school of Islamic jurisprudence (<i>fiqh</i>).</p> <p>AO1 – Knowledge and understanding</p> <p>Mark according to the AO1 – 10 mark levels of response marking grid for knowledge and understanding.</p> <p>Answers may include some of the following ideas, but all valid material must be credited.</p> <ul style="list-style-type: none"> • Candidates should choose one of the schools of Islamic jurisprudence (<i>fiqh</i>) and clearly state their choice giving an example of Suni or Shi'i. Where general examples are given, these should be applicable to the school of Islamic jurisprudence (<i>fiqh</i>) chosen. • In general, the five daily prayers developed from the injunctions in the Qur'an to pray in the morning and the evening, which gives only a general guide. Most detail comes from various traditions passed down through Hadith which give the times of day and method in which the Prophet (pbuh) prayed. • Credit examples of times when the Prophet (pbuh) prayed when relevant, i.e. where these have been used by a school of Sunni <i>fiqh</i> to derive the timing of a prayer. Depth might be shown by giving details of how the exact timing of one of the prayers is derived. Breadth might be shown by referring to several of the different prayer times. • Good answers are likely to recognise that this question is significant, because the five daily prayers are seen as compulsory according to the Sunni schools of <i>fiqh</i>. To wilfully disregard a prayer is seen as sinful. It is important to get the timing right so that a prayer is not missed. Both the start and end time slots are important particularly at <i>Fajr</i> and <i>Maghrib</i>, to ensure the slot is not missed. 	10

Question	Answer	Marks
2(c)	<p>'The differences of Islamic jurisprudence (<i>fiqh</i>) with regards to the timings of daily prayers are very important.' Discuss this statement with reference to different points of view.</p> <p>AO2 – Analysis and evaluation</p> <p>Mark according to the AO2 – 10 mark levels of response marking grid for analysis and evaluation. Answers may refer to any Islamic religious theory or teaching. Candidates may propose, analyse and evaluate some of the following arguments. All relevant arguments must be credited.</p> <ul style="list-style-type: none"> • To what extent are there differences? Some of the main differences are: <ul style="list-style-type: none"> – <i>Fajr</i> – the start time of <i>fajr</i> varies according to the interpretation of the start of first light; the end of <i>fajr</i> is calculated as slightly later by Shi'i schools – <i>Asr</i> – the timing starts when the shadows lengthen to the same height of the object (Shafi'i school) or double the height (Hanafi school) according to different Hadith traditions followed; to Shi'i the prayer is usually performed together with <i>Zuhr</i> – <i>Maghrib</i> – the start is about 10 minutes later according to Shi'i schools; there are variations in the end time between different schools. • It might be argued that these differences in timings are not important. After all, Muslims generally agree on the pattern of daily prayers, and the differences are a matter of a few minutes here and there. If a person's genuine intention is to follow the Prophet's example, however they interpret it, then that might be considered the main point. • However, there are traditions quoted within <i>fiqh</i> which suggest the differences are important. One Hadith suggests it is forbidden to pray before the start of the prayer time. So, if <i>fajr</i> is prayed early according to a different school of thought, then this might be declared invalid according to another school. • Furthermore, the prayer times also signal times for starting and ending fasting in Ramadan. This could lead to confusion about when a Muslim can eat. • Over much of history, Muslims of different schools of thought have prayed together regardless of differences of timing, which suggests these differences are not important and need not lead to division of disunity. • However, there are also cases today where Muslims of different schools of thought have opted not to pray together in one congregation, specifically because they did not accept the others interpretation of the correct timing, making this a cause of division. 	10

Question	Answer	Marks
EITHER		
3(a)	<p>Explain Muslim belief in the oneness of God (<i>tawhid</i>).</p> <p>AO1 – Knowledge and understanding</p> <p>Mark according to the AO1 – 10 mark levels of response marking grid for knowledge and understanding.</p> <p>Answers may include some of the following ideas, but all valid material must be credited.</p> <ul style="list-style-type: none"> • Candidates might identify and name the core Islamic belief in <i>tawhid</i>, as opposed to idolatry or <i>shirk</i>, and give an account of how Muhammad (pbuh) cleared the idols of the Ka'ba and in so doing established Islam as the religion of monotheism. It is thought that he was not bringing in a new belief, but rather returning to the beliefs of Ibrahim and clearing the Ka'ba of idols and corrupt practices which had crept in as people forgot the message during the days of ignorance. • Good answers might refer to teaching from the Qur'an, especially from the early Mecca period, in which revelations are given for the people to turn away from idol worship and trust in the one true God. Candidates might quote traditions from the life of the Prophet (pbuh) where he painstakingly taught monotheism despite threats and even persecution from the pagan idol worshippers. • Candidates might give a broad overview of the distinguishing features of Sunni monotheism. The <i>shahadah</i> states belief in God alone, without reference to intermediaries or to 'Ali – who is included by the Shi'i. Comparisons might be made with Christians who believe in the Trinity, including Jesus as Son of God, which Muslims reject. • Sunni belief in the oneness of God includes a rejection of Mu'tazilah interpretations which might be described as taking the position of extreme unity in that they reject the Qur'anic references to the hand and face of God. • Candidates might recognise the significance of Sunni monotheism behind all other beliefs: all are focused on the belief in the one true unseen God. Other beliefs, such as God's judgement in the afterlife, are dependent on this. The practices of Islam, such as daily prayer, are dependent on belief in the one true God as the purpose of prayer. 	10

Question	Answer	Marks
3(b)	<p>'The mystical practices of Sufism are a good way to understand God.' Evaluate this statement.</p> <p>AO2 – Analysis and evaluation</p> <p>Mark according to the AO2 – 15 mark levels of response marking grid for analysis and evaluation. Answers may refer to any Islamic religious theory or teaching. Candidates may propose, analyse and evaluate some of the following arguments. All relevant arguments must be credited.</p> <ul style="list-style-type: none"> • This quote refers to the spiritual understanding of God often said to be developed by Sufi Muslims. The Qur'an Surah 50 Verse 16 refers to God being nearer to a Muslim's heart than their jugular vein. Sufis practise services of <i>Zikr/Dhikr</i>, remembrance of God, in which they aim to develop their closeness to God through entering a state of heightened awareness. • Some Muslims criticise the practice of <i>Zikr/Dhikr</i>. They say that it may not be clearly traceable to the Qur'an or the practices of Muhammad (pbuh), so in effect is an innovation in religious worship to be condemned as invalid. The Qur'an and the Prophet's example provide the last and final message and the practices authorised therein should not be changed. • However, it could be said that as God is unseen, the only way to understand the unseen is through the spiritual realm. It could be argued there is a long tradition of Sufism and Sufis have helped others to understand God by explaining verses of the Qur'an that seem to have mystical meaning. • Some Sufis have claimed unity with God, a claim which goes beyond what was acceptable. Mansur al-Hallaj was declared a heretic by some when he claimed there were no bounds between himself and his creator. • Many Muslims who are not Sufis might think deeply, pray additional prayers for guidance and <i>du'a</i> prayers, in order to deepen their thoughts about God. They may feel that they do not need to follow mystical Sufi practices in order to remember God. Good answers are likely to explore more than one interpretation of what understanding God might mean. • The best answers will identify the words 'good way' and debate this. It could be said that the best and clearest way to understand God is to read the Qur'an. Another way would be to ask the advice of an Imam, particularly emphasised by Shi'i Muslims. Good answers should compare different approaches and reach a conclusion. 	15

Question	Answer	Marks
OR		
4(a)	<p>Explain the importance of the leadership of Shi'i Imams.</p> <p>AO1 – Knowledge and understanding</p> <p>Mark according to the AO1 – 10 mark levels of response marking grid for knowledge and understanding.</p> <p>Answers may include some of the following ideas, but all valid material must be credited.</p> <ul style="list-style-type: none"> • Shi'i Muslims believe that they must be led by an Imam with authority that traces back to the family blood line of the Prophet Muhammad (pbuh) and those granted authority after him. This is because of the split in the Muslim community over the validity of the first three Caliphs after the Prophet (pbuh). Shi'i Muslims believe 'Ali should have been the first Caliph and his family line the leaders of the Muslims. So it is important to Shi'i Muslims to have Imams appointed from among this line to have legitimacy. • Historically, Twelver Shi'is believe that the importance of the leadership of the Imam developed with a line of 12 infallible Imams, the last of which became hidden. Until his return, current Shi'i Imams are important in providing guidance according to the teachings left by the twelve. • In daily life, the Shi'i Imam is important in leading prayers at the mosque three times a day. The <i>Zuhr/Asr</i> and <i>Maghrib/isha</i> prayers are combined by Shi'i Muslims. The Imam also provides services such as marriage, divorce and teaching children how to read the Qur'an. The Imam gives sermons about Islam at the Friday prayers (<i>jumu'ah</i>). • The Shi'i Imam is particularly important for Shi'i Muslims because they provide guidance and interpretation of the Qur'an. They are believed to have the insight to do this without mistake, so their guidance is seen as very important. The Shi'i believe they must follow the interpretation of the Imam since ordinary people do not possess the same insight. • As such the Imam may reinterpret the teachings of the Qur'an for the present day. The Shi'i Imams continued this tradition of interpretation. • Credit answers which draw on a broad range of examples of the roles of Imams. In Iran, for example, many have a political role in government. There are specific senior roles for Ayatollahs. In Iran, the constitution gives particular importance to rule by the Islamic jurist and many Imams occupy positions in government. Not all Shi'i Muslims agree with this and others argue for separation of the role of the Imam from worldly affairs. • Credit answers that explain the basic roles of Imams in general, including roles shared with Sunni Imams, but the main focus of the response should be on the distinctive aspects of the importance of the Shi'i Imam. 	10

Question	Answer	Marks
4(b)	<p>‘Shi’i Imams and Sufi masters (<i>murshid</i>) perform similar roles today.’ Evaluate this statement.</p> <p>AO2 – Analysis and evaluation</p> <p>Mark according to the AO2 – 15 mark levels of response marking grid for analysis and evaluation. Answers may refer to any Islamic religious theory or teaching. Candidates may propose, analyse and evaluate some of the following arguments. All relevant arguments must be credited.</p> <ul style="list-style-type: none"> • Sufi masters (<i>murshid</i>) may come from the Sunni or Shi’i tradition. Like Shi’i Imams, they have spiritual authority passed down one to the next traceable back to the Prophet Muhammad (pbuh). The lines through which these are traced back are different according to which Sufi order or <i>tariqa</i> they are a member of and whether the line is Sunni or Shi’i. The existence of identifiable lines of authority is similar. • Sufi masters give direction to their followers. The guidance they give should be followed without question, since the <i>murshid</i> is thought to have spiritual insight at a higher level than the <i>mureed</i>. Shi’i Imams also give direction to their followers. They are thought to possess powers to interpret the Qur’an without fault and so their followers are supposed to accept what they say and not derive their own interpretations. In that sense the two roles could be seen as similar. • However, Shi’i Imams provide guidance for communities often in matters of <i>shariah</i> and daily life. Sufi <i>murshids</i> provide guidance to those who have specifically dedicated themselves and taken an oath (<i>bay’ah</i>) to follow a particular master. Sufi masters are organised within <i>tariqa</i> movements and not open to the general Muslim public. Shi’i Imams usually give their sermons at Friday prayers (<i>Jumu’ah</i>) in local mosques, open to wider congregations. Sufi <i>murshids</i> usually give guidance at their Thursday evening services of remembrance which are open to those who have formally joined the <i>tariqa</i> movement. • The type of guidance given might be mainly about how to practise the right level of remembrance and meditation to best progress upon a spiritual path. In that sense the role of the <i>murshid</i> could be seen as different from the Imam. • Advanced answers might discuss both similarities and differences. It could be said that both Shi’i and Sufi emphasise the Hadith traditions handed down through ‘Ali, and the spiritual nature of interpretation. But in the day-to-day practice of their roles, it could be said they address quite different constituencies. The best answers will come to a balanced, reasoned conclusion. 	15

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