



جامعة السلطان الشريف علي الإسلامية
UNIVERSITI ISLAM SULTAN SHARIF ALI
SULTAN SHARIF ALI ISLAMIC UNIVERSITY

Faculty of Shariah and Law
Semester I, 2016/2017 Academic Session
Examination Question Paper

Course Code : LS 1301
Course Name : Usul Fiqh 1
**Course Level : Bachelor of Law (LL.B) & Bachelor of
Shariah Law (BSL)**
Time : 3 hours

Notes:

Answer any **four** of the following questions.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

QUESTION 1 (15 marks)

- a) Explain the differences between *ḥukm taklīfī* and *ḥukm waḍ'ī*. (9 marks)
- b) Elaborate on the development of *Uṣūl al-Fiqh* after the period of Companions of the Prophet (Peace be upon him). (6 marks)

QUESTION 2 (15 marks)

- a) A Muslim man Lan Deyh has intentionally consumed wine. He was then intoxicated. He further committed *zinā*. Describe the view of Ḥanafī scholars and their justifications (*dalīl*) on the criminal liability and punishment for Lan Deyh. (8 marks)
- b) Illustrate the differences between *sabab* (cause) and *shar'ī* (condition). (6 marks)

QUESTION 3 (15 marks)

- a) Explain the following terms with illustrations:

- i. *Rushd*
- ii. *Janīn*
- iii. *Manāṭ*
- iv. *Mukallaf* (8 marks)

- b) State the criteria of *mandūb* (recommended act) with two examples. (6 marks)

QUESTION 4 (15 marks)

- a) The act of drinking may become *mubāḥ* or *wājib* (compulsory). Explain the view of Imām al-Shāṭibī on the issue of *mubāḥ*. (6 marks)
- b) Explain the rulings of *ḥarām li ghayrihi* (prohibited for an external factor) with examples. (6 marks)
- c) What is the meaning of the capacity for execution? (3 marks)

QUESTION 5 (15 marks)

- a) Yusri was bed-ridden since last year and the medical officer has diagnosed him with cancer stage four (4). He was very concerned with the distribution of his property during this stage. Advise him whether his current health condition is considered as *marad al-mawt* (death illness)? (8 marks)
- b) He wants to give a portion of 2/3 out of his property for charity. Advise him with reference to transaction undertaken by the ill person under Islamic law. (4 marks)
- c) What is *'atah* (idiocy) under Islamic law? (3 marks)