



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

Faculty of Shariah and Law
Semester III, 2016/2017 Academic Session

Examination Question Paper

Course Code : LS 3304
Course Name : Al-Qawa'id Al-Fiqhiyyah
Course Level : Bachelor of Laws (LL.B) & Bachelor of
Shariah Law (BSL)
Time : 3 hours

Note:

Answer all the questions.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

QUESTION 1 (15 Marks)

Write a short essay of the following:

- A. Historical development of Qawa'id fiqhiyyah (5 marks)
- B. The Objective of Shari'ah (5 marks)
- C. Flexibility of Shari'ah (5 marks)

QUESTION 2 (15 Marks)

“*Al-Umur Bi Maqasidiha* (Matters are determined according to their intentions”. In the light of this legal maxim:

- A. Explain the meaning with example of the legal maxim. (5 marks)
- B. State and explain two other phrases relevant to the legal maxim. (10 marks)

QUESTION 3 (15 Marks)

- (a) State the sources of “Hardship Begets Facility”. (3 marks)
- (b) Illustrate six (6) types of “Hardship Begets Facility” with relevant examples. (6 marks)

(c) (i) Which kind of custom can be applied as a legal basis of judgment in the light of *Shariah*. Give a relevant example of the custom.

(ii) A person was asked in Saudi Arabia to buy a car for twenty thousand Riyals with no further specifications on the currency. Is he allowed to buy the car with Brunei Dollar?

(3 marks each)

QUESTION 4 (15 Marks)

(a) The Prophet S.A.W said: “Neither harm nor be harmed”. State the Islamic legal maxim which is derived from the above hadith and briefly describe the meaning of the maxim.

(3 marks)

(b) Describe examples of the maxim related to daily life and commerce.

(6 marks)

(c) Explain the following Islamic legal maxim by stating its meaning:

- (i) Necessities render prohibited things permissible;
- (ii) Necessity is determined by the extent thereof; and
- (iii) An injury cannot be removed by a similar injury.

(6 marks)

بالتوفيق والنجاح