



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

**Faculty of Shariah and Law  
Semester I, 2015/2016 Academic Session**

**Examination Question Paper**

**Course Code : LS 4301**

**Course Name : Usul al-Ijtihad wa al-Fatwa**

**Course Level : Bachelor of Laws (LL.B) & Bachelor of  
Shariah Law (BSL)**

**Time : 3 hours**

**Note (s):**

- This question paper consists of **two (2)** parts.
- Answer any **five (5)** questions from **part one**.
- Answer **all** questions from **part two**.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

**PART ONE (40 marks)**

Answer **five** of the following questions

**QUESTION 1** (8 marks)

Is *ijtihad* a source of Islamic law? Discuss in detail.

**QUESTION 2** (8 marks)

Elaborate how *ijtihad* led to the formation of various *madhahib fihiyyah*.

**QUESTION 3** (8 marks)

Discuss the various modes of *ijtihad*.

**QUESTION 4** (8 marks)

*Imam* al-Shafi'i, in his book *al-Risalah*, stated that *ijtihad* and *qiyas* are two identical terms, while later scholars consider them different. Explain the reason behind these different views.

**QUESTION 5** (8 marks)

(a) Can *ijtihad* be reversed by a new *ijtihad*?

(b) If the previous *ijtihad* was the ground of a legal judgment, what will happen to that judgment in light of the new *ijtihad*?

**QUESTION 6** (8 marks)

Discuss the views of *usul al-fiqh* scholars on the divisibility of *ijtihad*.

**PART TWO (20 marks)**

**Answer all the following questions**

**QUESTION 1** (10 marks)

*Ijtihad* is the outcome of a high level of intellectual capacity. Elaborate the qualifications required in a *mujtahid*.

**QUESTION 2** (10 marks)

Discuss the authority of a *fatwa* relating to the following:

- (a) The mufti himself;
- (b) Other *mujtahids*; and
- (c) A layman who seeks *fatwa* from the *mufti*.

بالتوفيق والنجاح