



اسلامان الشرف على الاسلاميه

**Faculty of Shariah and Law  
Semester II, 2017/2018 Academic Session**

**Final Examination Question Paper**

**Course Code : SD 1204**  
**Course Name : Principles of Islamic Jurisprudence**  
**Course Level : Higher National Diploma in Shariah  
Criminal Justice System**  
**Time : 3 hours**

**Notes:**

1. Answer ALL question

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

**QUESTION 1 (15 Marks)**

Define the following terminologies:

- |                                    |          |
|------------------------------------|----------|
| a) <i>Al-Sunnah Al-Taqririyyah</i> | [1 mark] |
| b) <i>Ijma Sukuti</i>              | [1 mark] |
| c) <i>Qiyas ma' al-Fariq</i>       | [1 mark] |
| d) <i>Qiyas al-Awla</i>            | [1 mark] |
| e) 'Illah                          | [1 mark] |
| f) <i>Maslahah</i>                 | [1 mark] |
| g) <i>Sadd al-Dhari'ah</i>         | [1 mark] |
| h) <i>Shar'Man Qablana</i>         | [1 mark] |
| i) <i>Dalil</i>                    | [1 mark] |
| j) <i>Tawatur</i>                  | [1 mark] |
| k) <i>Qat'i al-Dalalah</i>         | [1 mark] |
| l) <i>Ijtihad</i>                  | [1 mark] |
| m) <i>Hadith</i>                   | [1 mark] |
| n) <i>Istislah</i>                 | [1 mark] |
| o) <i>Khabar Wahid</i>             | [1 mark] |

**QUESTION 2 (15 Marks)**

- a) There are a number of verses in the Quran which identify the sources of Islamic Law and the order of priority between them. As mention in surah *al-Nisa* (4:59), how do you conclude all the four principle sources of Islamic Law from the *ayat* below. [4 marks]

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ فَإِن تَنَزَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِن كُنتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا ﴿٥٩﴾

- b) Discuss briefly the meaning of *Al-Quran al-Karim* and explain two aspects of its 'ijaz. Illustrate your answer. [5 marks]
- c) Differentiate between *Sunnah Qawliyyah*, *Sunnah Fi'liyyah* and *Sunnah Taqririyyah*. [3 marks]
- d) Discuss briefly the justification of the *Sunnah* as a source of Islamic Law [3 marks]

### **QUESTION 3 (15 Marks)**

- a) Explain briefly the essential requirement of *Ijma*. [5 marks]
- b) Discuss the opinion of the Jurist regarding *Qiyas* as a *sanad* of *Ijma*. [2 marks]
- c) Cite an example for each of the following:-  
*Sanad of Ijma* from *Al-Quran* [1 mark]  
*Sanad of Ijma* from *Al-Sunah* [1 mark]  
*Sanad of Ijma* from *Qiyas* [1 mark]
- d) There are three (3) types of *Maslahah*. List down the types and explain briefly. Provide example of each type. [5 marks]

### **QUESTION 4 (15 Marks)**

- a) *Qiyas* is the secondary sources of Islamic Law. Cite an example of *Qiyas* below and identify the element of *Qiyas* for each example clearly.  
*Qiyas Awla* [2 marks]  
*Qiyas Musawi* [2 marks]  
*Qiyas Adwan* [2 marks]
- b) Explain briefly two (2) conditions of '*illah*'. Provide an example for each condition. [3 marks]
- c) Discuss the argument of those uphold and reject *Qiyas* as a source of Islamic Law. [6 marks]