



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

Faculty of Shariah and Law
Semester 2, 2015/2016 Academic Session

Final Examination Question Paper

Course Code : SL 2302
Course Name : Islamic Legal System
Course Level : Bachelor of Laws (LL.B) & Bachelor of
Shariah Laws (BSL)
Time : 3 hours

Note (s):
Answer any **FOUR** questions.

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Question One (15 Marks)

1. What are the conditions and qualifications of the *mujtahid*?
(5 marks)
2. The duty of the judge is to carry out justice and fair play. It is important therefore, for the judge to guard his conduct and attitudes from anything that may cast doubt over his fairness in sentencing or his personal purity.
State five (5) attitudes of a judge according to Islamic law.
(5 marks)
3. What are the roles and duties of *Peguam Shar'ie*?
(5 marks)

Question Two (15 Marks)

Discuss the main reasons for the difference of opinion among the *madhhabs* (Muslim School of Thoughts) with regards to the following matters:

1. Differences in understanding the meaning of a word
(9 marks)
2. Differences in the narration of hadith.
(6 marks)

Question Three (15 Marks)

“As an independent country, Brunei Darussalam has its own legal system and as an Islamic state, Brunei Darussalam has its own characteristics.”

Discuss briefly the system of *fatwa* in Brunei Darussalam. (5 marks)

What is the vision and mission of the State Mufti Division? How does it work?

(5 marks)

Explain the procedures of appointment of *Mufti* and his duties as well as the mechanism of giving a decision of *fatwa*.

(5 marks)

Question Four (15 Marks)

“The study of any legal system normally deals with formulation and interpretation of the law”.

Discuss the formulation and interpretation of Islamic law during the period of Umayyad Khilafah with regards to its situation, factors affecting *Fiqh*, its characteristics and compilation, as well as reasons for its differences.

Question Five (15 Marks)

Discuss briefly the following topics:

1. Factors that influence the development of *Fiqh* in the period of the Great *Imams* (750-850 CE)

(5 marks)

2. The differences between “codified” and “case law system”.

(5 marks)

3. Definition, Legislation and Broad Principles on *Al-Ijtihad*.

(5 marks)

بالتوفيق والنجاح