



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

**Faculty of Shariah and Law  
Semester III, 2021/2022 Academic Session**

**Final Examination Question Paper**

**Course Code : LS3304  
Course Name : Islamic Legal Maxims  
Course Level : Bachelor's Degree  
Time : 3 hours**

**Notes:**

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

بسم الله الرحمن الرحيم

**QUESTION 1 (12 Marks)**

Amira was subjected to a rape attempt. Being armed with a gun, she shot the offender in his head which led to his death. She was put on trial for causing undue death to someone. During the trial, Amira argued that she was exercising her right to self-defense.

Give your comment on this case by applying the relevant legal maxim(s).

**QUESTION 2 (12 Marks)**

“Matters are judged by intentions – الأمور بمقاصدها”

Compare the application of this legal maxim to ‘*ibadat* (acts of worship) with its application in financial transactions. Support your answer with, at least, four examples.

**QUESTION 3 (12 Marks)**

Samir bought a used car from Ahmad. After using the car for 6 months, Samir discovered that the car has a serious defect in the engine. Believing that Ahmad has deceived him, he decided to return the car and claim the price he paid. Ahmad refused to return the money to Samir claiming that Samir has no right to do so.

How would you resolve this dispute by using the relevant legal maxims?

**QUESTION 4 (12 Marks)**

Elaborate the requirements and limits of applying the following legal maxim: (Private harm shall be tolerated to dispel public harm/ يتحمل الضرر الخاص لدفع (الضرر العام).

**QUESTION 5 (12 Marks)**

Explain the following legal maxim: **(Religious permissibility excludes liability for compensation/ الجواز الشرعي ينافي الضمان)**. Support your answer with, at least, three examples.

**QUESTION 6 (12 Marks)**

- a) Explain the general meaning of the following legal maxim: **(No harm shall be met by harm/ لا ضرر ولا ضرار)**. Support your explanation with, at least, two examples.
- b) Give 3 sub-maxims (branches) of this maxim which explain various applications of this leading maxim.

بالتوفيق والنجاح