



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

**Faculty of Shariah and Law  
Semester III, 2020/2021 Academic Session**

**Final Examination Question Paper**

**Course Code : LS3304**

**Course : ISLAMIC LEGAL MAXIMS**

**Name**

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

**Time : 3 hours**

**Notes:**

Answer ALL questions.

**QUESTION 1 (10 Marks)**

**Write your answer in Arabic:**

1- Write the original legal maxim according to the meaning below.

- (a) Acts are judged by the intention behind them. (2 Marks)
- (b) Hardship begets ease. (2 Marks)
- (c) Harm shall not be inflicted nor reciprocated. (2 Marks)
- (d) Certainty is not overruled by doubt. (2 Marks)
- (e) Custom is arbitrary. (2 Marks)

**QUESTION 2 (15 Marks)**

**Fill in the blanks below with the suitable words or sentences:**

- (a) Fill in the following two blank places with **only one word** that is accurate and appropriate.  
The Prophet s.a.w. said: "*Deeds are judged by \_\_\_\_\_ and every person is judged according to his \_\_\_\_\_*". Write this hadith. (2 Marks)
- (b) The origins of maxim 'Custom is Arbitrary' are al-Quran and Sunnah. Write two hadith as evidences to support the statements above. (4 Marks)
- (c) According to Mustafa Ahmad al-Zarqa', Islamic Legal Maxim is: \_\_\_\_\_ which are presented in a simple format consisting of the general rules of Shariah in a particular field related to it. (2 Marks)
- (d) *Rukhsah* can be given by several reasons. Explain four (4) only. (4 Marks)

(e) The origin of legal maxim: The harm should be eliminated (الضرر يزال) is inspired from the famous hadith. Explain this hadith.

(3 Marks)

**QUESTION 3 (20 Marks)**

(a) Write five (5) examples of Fiqh issues that shows the application of maxim 'Matters are determined according to intention'.

(5 Marks)

(b) The Legal maxim: "Harms should be eliminated" was inspired from the Hadith/Prophet's saying: "Harm Shall Not Be Inflicted Nor Reciprocated". This maxim is divided into two parts: [La Darar] Harm shall not be inflicted [La Dirar] Harm shall not be reciprocated. Elaborate the meanings of 'inflicted' and 'reciprocated' supported with examples and two (2) evidences or origins of the maxim from the Quran.

(15 Marks)

**QUESTION 4 (15 Marks)**

***'Certainty is not overruled by doubt'***

Based on this legal maxim, explain the following question:

- 1- It's Origins from al-Quran and al-Sunnah (5 Marks)
- 2- Three of its Applications in Islamic Law. (5 Marks)
- 3- Two of the branches of the Maxim that you know. (5 Marks)

بالتوفيق والنجاح