



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

**Faculty of Shariah and Law**  
**Semester III, 2022/2023 Academic Session**

**Final Examination Question Paper**

**Course Code : SD0307**

**Course Name : Al-Qawaid Al-Fiqhiyyah**

**Course Level : Higher National Diploma (HND) in  
Shariah Criminal Justice System**

**Time : 3 hours**

**Notes:**

1. Answer **four (4)** questions only.
2. Question 1 & 2 is **compulsory**.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

**QUESTION 1 (COMPULSORY): (15 Marks)**

1) One of the classifications of Islamic Legal Maxims are maxims that are accepted by certain scholars. **Explain** this classification and **give examples**.

(5 marks)

2) **Define** al-qawa'id al-fiqhiyyah according to Mustafa al-Zarqa', **explain** its meaning and give **an example** to **elaborate** more.

(10 marks)

**QUESTION 2 (COMPULSORY): (15 Marks)**

1) Give **two examples of application** for each following maxims:

a) What is certain cannot be removed by doubt.

(2 marks)

b) Custom is arbitrary.

(2 marks)

c) Harm shall not be inflicted nor reciprocated.

(2 marks)

d) Management of citizen's affairs must be based on public interest.

(2 marks)

e) Matters are determined according to intention.

(2 marks)

2) Give one **example of application** for each following maxims:

a) Necessity renders prohibited things permissible.

(1 mark)

b) Necessities are estimated according to their quantity.

(1 mark)

c) The repelling of mischief is preferred to the acquisition of benefits.

(1 mark)

- d) Need, whether public or private, is treated as necessity.  
(1 mark)
- e) The norm is freedom from liability.  
(1 mark)

**QUESTION 3: (15 Marks)**

- 1) **Explain** the meaning of “Matters are determined according to intention” with **an example**.  
(5 marks)
- 2) One of the the specific functions of intention is to differentiate between one kind of ibadah and another. **Explain and give one example**.  
(3 marks)
- 3) **Explain** the general meaning of the maxim “What is certain cannot be removed by doubt”.  
(7 marks)

**QUESTION 4: (15 Marks)**

- 1) Among the additional evidence of the application of the maxim “Hardship begets facility” is the legislation of certain concession (rukhsah). **State three examples**.  
(3 marks)
- 2) **Explain** the meaning of the maxim “hardship begets facility”.  
(4 marks)
- 3) What type of hardship does the maxim “Hardship begets facility” refer to? **Explain** with examples.  
(8 marks)

**QUESTION 5: (15 Marks)**

- 1) The scholars have classified harm into two. **Explain with an example.**  
(7 marks)
  
- 2) The maxim “Harm shall not be inflicted nor reciprocated (la darara wa la dirar)” has two parts, (la darar) and (al-dirar). **Explain with an example.**  
(8 marks)

بالتوفيق والنجاح