



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

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

**Final Examination Question Paper**

**Course Code : LS4303**

**Course Name : Fiqh al-Qada wa Turuq al-Ithbat (Fiqh of  
Judiciary and Procedures)**

**Course Level : Bachelor of Law (LLB) & Bachelor of  
Shariah Law (BSL)**

**Time : 3 hours**

**Notes:**

Answer the following questions.

**QUESTION 1 (15 Marks)**

1. Define *Qada* and its connotations. (4 marks)
2. How is *Fiqh al-Qada*' importance? (3 marks)
3. What are the basis of legality of establishment of *Qada*' in Islam? (3 marks)
4. Mention the historical background of Islamic judiciary system in Islamic history. (5 marks)

**QUESTION 2 (15 Marks)**

1. What are the roles of Syariah Judges (*Qadis*)? (6 marks)
2. Is a *Qadi* must be a Muslim in Islamic law? Discuss. (4 marks)
3. Muslim jurists differ in regard whether a Muslim woman may become a *Qadi*. What are their arguments and legal basis? (5 marks)

**QUESTION 3 (15 Marks)**

1. Explain the meaning of *Iqrar* and its legality in Islamic law. (4 marks)
2. What are the conditions of *muqirr* (the admitter) in Islamic law? (8 marks)
3. Discuss the rule of retraction of *Iqrar*. (3 marks)

**QUESTION 4 (15 Marks)**

1. What are the differences between:

a. *Qadi, Mufti, Hakim* and

(3 marks)

b. between *al-Mazalim* and *al-Hisbah*

(3 marks)

2. Elaborate the concept of *Yamin* in Islamic judicial system.

(9 marks)

بالتوفيق والنجاح