**UNIVERSITY OF SARGODHA**

**LAW COLLEGE**

COURSE OUTLINE Spring 2020

Course Title: Islamic Jurisprudence II

Course Code: ISJ - 245

Credit Hours: 03

Instructor: Waheed uz zaman

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DESCRIPTION AND OBJECTIVES

The course is in continuation of Islamic Jurisprudence-I. The course is aimed to acquaint the students with the remaining topics of Islamic Jurisprudence like ownership, possession, contracts, constitutional, administrative and Islamic international law.

INTENDED LEARNING OUTCOMES

By the end of the module students will have knowledge of:

 The principal sources of Islamic law and the differences in interpretation and appreciation of evidence established by each School of Law. This module aims to enhance understanding of Islamic law and the process of its derivation by examining key rulings and their evidences relating to Contracts (‘Uqūd); and develop critical reading and analytical skills relating to Islamic jurisprudence. Moreover, it will foster a critical appreciation of the application of the principles and methodologies used by jurists in deriving edicts from the religious sources.

COURSE CONTENTS

* **Ownership and possession in Islam**
* **Contracts in Islam**
	+ Kinds of contracts
	+ Ingredients of different contracts
* **Constitutional and Administrative Law**
	+ Constitutional and administrative framework
	+ Sources of revenue of Islamic state
	+ Fundamental principles
		- Sovereignty
		- Caliphate
		- Shura
		- Head of State
* Islamic International Law
	+ Islamic law of war and peace
	+ Law regulating the relationships between Muslim and non-Muslim subjects
	+ Challenges of modern time

READINGS

* A History of Islamic law by N.J. Coulson
* Reconstruction of Legal Thoughts in Islam by Riaz ul Hassan Gillani
* The Early Development of Islamic Jurisprudence by Ahmed Hassan
* Outlines of Islamic Jurisprudence by Imran A. Khan Nyazee
* Theories of Islamic Law by Imran A. Khan Nyazee

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| COURSE SCHEDULE |
| **Week** | **Topics And Readings** | **Books With Page No.** |
|  | * Ownership and possession in Islam
 | Outlines of Islamic Jurisprudence 209 to 218 |
|  | * Contracts in Islam
	+ Kinds of contracts
 | Outlines of Islamic Jurisprudence 219 to 230 |
|  | * + Ingredients of different contracts
 | Outlines of Islamic Jurisprudence 235 to 248 |
|  | * Constitutional and Administrative Law
 |  |
|  | * + Constitutional and administrative framework
 |  |
|  | * + Sources of revenue of Islamic state
 | Outlines of Islamic Jurisprudence 380 |
|  | * + Fundamental principles
		- Sovereignty
 | Outlines of Islamic Jurisprudence 369 to 379 |
|  | * + Mid Term
 |  |
|  | * + Caliphate
 | Outlines of Islamic Jurisprudence 438 to 443 |
|  | * + - Shura
		- Head of State
 | Outlines of Islamic Jurisprudence 374 |
|  | * Islamic International Law
 |  |
|  | * Islamic law of war and peace
* Challenges of modern time
 | Outlines of Islamic Jurisprudence 401 TO 409 |
|  | Assignment |  |
|  | * Law regulating the relationships between Muslim and non-Muslim subjects
 |  |
|  | * Revision
 |  |
|  | * Final Term
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RESEARCH PROJECT/PRACTICALS/LABS/ASSIGNMENTS

Each candidate will be assigned to write an assignment on the topic given by the tutor. The assignment will carry five marks.

ASSESSMENT CRITERIA

Mid Exam: 30

Final Exam: 50

Twenty sessional marks will be assessed according to the following criteria.

Assignment = 05

Presentation= 05

Class Participation= 05

Class Attendance= 05

Total 20