

Module Title: al-Qawā'id al-Fiqhiyya (i)

Module Code: QAWONE

Course Duration: 17 Weeks

Teaching Method: 2 units/week

Credits: 10

Overview:

This module, the first of two parts, will entail a detailed introduction to, and study of *al-qawā'id al-fiqhiyya*. After discussing the relevance of these juristic principles to the practical endeavour of inferring religious rulings from their sources and distinguishing them from *al-qawā'id al-uṣūliyya* (jurisprudential principles) and *aḥkām* (regulative rulings), students will embark upon a close examination of the content, evidential basis, application and implications of the most important juristic principles employed in *fiqhī* reasoning and those not extensively covered during their actual studies of *al-fiqh al-istidlālī*.

Course structure:

Following the introductory discussions, each week's session (2 units) will be divided into two parts. Part One of each session will consist of a lecture/discussion on the relevant principles, content and application, with the second part focusing on reading (*taṭbīq*) and analysis of the evidential basis (*mustanad*) cited for the principle. Discussions and readings will be primarily based on Sayyid Muḥammad Kāẓim al-Muṣṭafawī's *Al-Qawā'id: Mi'a Qawā'id Fiqhiyya, Ma'nān wa Madrakan wa Mawridan*.

1. Introduction of the relevance and nature of *al-qawā'id al-fiqhiyya* and how they differ from *al-qawā'id al-uṣūliyya* and *al-aḥkām al-shar'iyya*
2. Introduction continued.
3. Qā'idat al-Itlāf
4. Qā'idat al-Jubb
5. Qā'idat al-Jubb
6. Qā'idat al-Sūq
7. Qā'idat al-Sūq
8. Qā'idat al-'Uqūd tābi'atun lil qaṣd
9. Qā'idat al-'Uqūd tābi'atun lil qaṣd
10. Qā'idat al-Mu'minūn 'inda shurūṭihim
11. Qā'idat al-Firāsh
12. Qā'idat Sharṭ al-fāsid laysa bi mufsid
13. Qā'idat al-'Adl wal inṣāf
14. Qā'idat al-Iqdām
15. Qā'idat al-Iḥsān
16. Qā'idat al-I'timān

Assessment Weighting:

100% Exam

Learning Materials:

Core Texts:

- al-Muṣṭafawī, Sayyid Muḥammad Kāzim, *Al-Qawā'id: Mi'a Qawā'id Fiqhiyya, Ma'nan wa Madrakan wa Mawridan*, (Qom: Muassasat al-Nashr al-Islāmī, 1427).
- al-Ayrwānī, B., *Durūs Tamhīdiyya fī al-Qawā'id al-Fiqhiyya*, (Qom: Muassasat al-Fiqh lil-Ṭibā'a wa al-Nashr, 1428)