

Module Title: *Uṣūl al-Fiqh: Mabādī*

Module Code: USLINT

Course Duration: 17 Weeks

Teaching Method: 2 units/week

Credits: 10

Overview:

This module consists of two parts; the first part of this module introduces students to Muslim legal theory, which is also known as principles of Islamic jurisprudence (*uṣūl al-fiqh*). This part will specifically focus on the main themes that are discussed in classical legal theory, together with the technical language and terminology of *uṣūl al-fiqh*. The second part of this module will consist of *uṣūl al-fiqh* reading, in which students are required to read a classical Arabic work on Muslim legal theory, with an instructor, in order to grasp the rich range of legal terminology and ideas.

Syllabus:

- Definition and rationale of *uṣūl al-fiqh* (legal theory), *qawā'id* (rules), *aḥkām* (laws) and *adilla* (sources)
- The textual evidences used in the process of deriving Islamic law
- The linguistic and hermeneutical principles used in interpreting the textual sources of law
- The non-textual evidences used in the process of deriving Islamic law
- Reading of *Mabādī al-Uṣūl*, by Hādī al-Faḍlī

Learning outcomes:

On completion of this module, the successful student will be able to:

1. Represent an overview of the main themes discussed in *Uṣūl al-Fiqh*
2. Understand how Islamic legal rulings are derived from the various sources of law.
3. Show a general understanding of the main terms of Muslim legal theory

Assessment Weighting:

- 100% Exam

Learning Materials:

Core texts:

- al-Faḍlī, Abdul Hādī, *Mabādī al-Uṣūl*

Further Reading:

- al-Ṣadr, Muḥammad Bāqir, (2003), *Principles of Islamic Jurisprudence*, (trans. Arif Abdul Hussein), London: ICAS Press
- Kamali, Hashim, (1991), *Principles of Islamic Jurisprudence*, Cambridge: Islamic Texts Society
- Ṣadr, M. B., & Mottahedeh, R. P., (2003), *Lessons in Islamic Jurisprudence*, Oxford: Oneworld
- Burton, J., (1990), *The Sources of Islamic Law: Islamic Theories of Abrogation*, Edinburgh: Edinburgh University Press
- Gleave, R., & Kermeli, E., (1997), *Islamic Law: Theory and Practice*, London: I.B. Tauris
- Calder, N., Imber, C., & Gleave, R., (2010), *Islamic Jurisprudence in the Classical Era*, Cambridge: Cambridge University Press