

Doctor of Philosophy in Comparative Jurisprudence & Sources
Program code: 090071

INTRODUCTION

The department of comparative jurisprudence & policy (College of Sharia and Islamic Studies) offers a program aims to grant a Ph.D. degree in Comparative Fiqh & Usool Fiqh. Language of instruction is Arabic. The program aims to configure the skill of Ijtihad in the student since fundamentals of jurisprudence (Usool al Fiqh) is the science which is specialized in output Mujtahids. Our era is the era of the dilemmas that are relevant to forensic judgment which requires to configure a mentality that can understand old jurisprudence and coexisting with present era and giving verdicts on issues according to a scientific rooting taking into account the contemporary life.

PROGRAM REQUIREMENTS

33 TOTAL COURSE CREDITS

12 COMPULSORY COURSE (3 credits each)

- 0930-654 Fuqaha methodologies in Ijtihad
- 0930-655 Detailed textual study in Fiqh and its fundamentals
- 0930-656 Al-Maqasid and Al-Wasa'il in Islamic Fiqh
- 0930-657 Referencing Fara' to its Usool and its application
- 2000-504 Computer Skills*

* Compulsory for students who have not previously taken the course in Masters degree

3 ELECTIVE COURSES (3 credits each)

The student has to choose one of the following courses:

- 0930-651 Condition Thesis in Islamic Fiqh
- 0930-652 Contemporary Issues (in details)

18 COMPULSORY COURSES

- 0930-697 Dissertation (9)
- 0930-698 Dissertation (9)

COURSE DESCRIPTION

**0930-651: CONDITION THESIS IN ISLAMIC
FIGH
CR: 3**

Definition, Types, Categories, Effects, Conditions which related to contracts, proper conditions, invalid conditions, and controversial ones.

**0930-652: CONTEMPORARY ISSUES (IN
DETAILS)
CR: 3**

1st Contracts ('Aqd) in Islam:-

*Insurance contract:

a) Insurance in Law:

(The concept of insurance:- Insurance system- Insurance contract- its definition-its elements-its features) Types of Insurance: (Insurance on individuals-Liability insurance- Insurance on things-Commercial insurance)

b) Verdict of Insurance in Sharia: (identify controversial points in insurance through+ clarifying the following Types of insurance agreed among fuqaha, types of insurance which raises controversy-Evidence that allow insurance-Evidence that prevent it- Responses and discussions. The most correct view- Alternative insurance features in Shari.

**0930-654: FUQAHA METHODOLOGIES IN
IJTIHAAD
CR: 3**

Agreed and controversial evidences in brief, In-depth study for the four Madhahib differences in dealing with the controversial evidences, Incompatibility and weighting Clarify its nature and its impact, the debate, Fatwa, Ijtihad, the controversy, Ijtihad approach of the four Madhahib Imams.

**0930-655: DETAILED TEXTUAL STUDY IN
FIGH AND ITS FUNDAMENTALS
CR: 3**

Professor chooses a variety of the juristic fundamentalist texts taking into account the jurisprudential and fundamentalist terminology of different Madhahip.

**0930-656: AL-MAQASID AND AL-WASA'IL IN
ISLAMIC FIGH
CR: 3**

Definition of Al-Maqasid and Al-Masalih, its importance, its sections, Definition of Al- Wasa'il, its importance, Its relationship to Al-Maqasid, methods to know Al-Wasa'il, its discrepancy, its sections, reasons for the variation, impact of Al-Wasa'il, on sharia verdicts, the exception to the rule of Al-Wasa'il, the theory of the end justifies the means, forbidden means and necessities, stating fundamentalist and jurisprudence rules relating to Al-Maqasid and Al-Wasa'il.

**0930-657: REFERNCING FARA' TO ITS USOOL
AND ITS APPLICATION
CR: 3**

Definition, Its emergence and development, Its theme the results, Variance between it and Al-Usool science, Figh, and Science of jurisprudence.

**0930-697: DISSERTATION
CR: 9**

**0930-698: DISSERTATION
CR: 9**