Module Title: *Uṣūl ʿAmaliyya*

Module Code: USLAML
Course Duration: 17 Weeks
Teaching Method: 2 units/week
Credits: 15

Overview:

This module engages in an intensive and detailed study of four major practical principles (*al-uṣūl al-ʿamaliyya*) that give an apparent ruling (*ḥukm zāhirī*) when a jurist has no recourse to evidence that gives an actual ruling (*ḥukm wāqīʿ*). Moreover, this module provides a critique of the traditional discourse as presentenced by orthodox jurists of Islamic law, which enables a student to become deeply familiar with the meaning, conditions, and applications of practical principles and their differences.

Syllabus:

To study intensively and comparatively the second step in legal reasoning. This will include topics such as:

- Aṣālat al-Barāʿa
- Aṣālat al-Iḥtiyāt
- Aṣālat al-Takhyīr
- al-Istiṣḥāb

Learning outcomes:

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

- Critically and independently discuss and debate topics and discourses pertaining to *al-uṣūl al-ʿamaliyya* (procedural principles) from the second and the third volumes of Shahīd al-Ṣadr’s *al-Ḥalaqāt*.

- Independently critique the orthodox positions related to this topic.

- Develop their research skills through comparative studies between classical Muslim legal theory and contemporary philosophy of law.

Assessment Weighting:

- 100% oral exam
Learning Materials:

Essential Reading:

- Shahīd al-Ṣadr, M. B., Ḥalaqāt al-Uṣūl, Volume 2
- Shahīd al-Ṣadr, M. B., Ḥalaqāt al-Uṣūl, Volume 3
- Muẓaffar, M. R., Uṣūl al-Fiqh, Volume 4