# METHODOLOGY OF ISLAMIC LAW I

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| 1 | Course Title: | METHODOLOGY OF ISLAMIC LAW I |
| 2 | Course Code: | İLA2020 |
| 3 | Type of Course: | Compulsory |
| 4 | Level of Course: | First Cycle |
| 5 | Year of Study: | 2 |
| 6 | Semester: | 4 |
| 7 | ECTS Credits Allocated: | 4.00 |
| 8 | Theoretical (hour/week): | 4.00 |
| 9 | Practice (hour/week): | 0.00 |
| 10 | Laboratory (hour/week): | 0 |
| 11 | Prerequisites: | |
| 12 | Language: | Turkish |
| 13 | Mode of Delivery: | Face to face |
| 14 | Course Coordinator: | Prof. Dr. H.İbrahim Acar |
| 15 | Course Lecturers: | Prof. Dr. Ali KAYA, Doç. Dr. Abdurrahim KOZALI, Dr. Öğr. Üyesi M. Salih KUMAŞ, Dr. Öğr. Üyesi Eren GÜNDÜZ |
| 16 | Contact information of the Course Coordinator: | Prof. Dr. H. İbrahim ACAR<br>hacar1959@hotmail.com<br>0533 359 78 84<br>Uludağ Üniversitesi İlahiyat Fakültesi- 60 293 |
| 17 | Website: | |
| 18 | Objective of the Course: | To provide teaching the subjects from the lessons of law of persons, Islamic family law and Islamic inheritance law. |
| 19 | Contribution of the Course to Professional Development: | Field knowledge acquisition |
| 20 | Learning Outcomes: | |
| | 1 | To learn about law of persons. |
| | 2 | To understand the subjects of marriage and divorce. |
| | 3 | To explain basic terms of inheritance law and inheritor's portions with details. |
| | 4 | To make solutions to current problems about law of persons, family law and inheritance law. |
| | 5 | To analyze informations and skills about family law and inheritance law with a critical viewpoint. |
| | 6 | To understand and to explain the texts about the area of professinalism. |
| | 7 | To understand and to make solutions to current religios issues |
| | 8 | To learn terms and concepts about the area of professionalism. |

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| | | **9** | To compare basic principles of law of persons, family law and inheritance law in Islam with principles of positive law. |
| | | **10** | To be an example to society in following Islamic principles in social life. |
| **21** | Course Content: | | |
| | **Course Content:** | | |
| Week | Theoretical | | Practice |
| **1** | 1- Concept of Personality, Competency, Problems of Comepetency<br>2- Types of Person, Legal Persons, Legal Personality, Legal Representation, Legal Persons | | |
| **2** | 1- Importance of Marriage, Engagement, Component and Conditions of Mariage<br>2- The Marriage Barriers, Polygamy | | |
| **3** | Conditions of Validity of Marriage Contract, Marriage Through Loan, Muta Marriage<br>2-Enforcement Conditions of Marriage Contract, Binding Conditions, Custody in Marriage | | |
| **4** | 1-Conditional Marriage, Registration of Marriage Contract, Types of Marriage in Terms of Validity, Misyar Marriage, Tahlil Marriage<br>2- Mehir, Alimony, Lineage, Milk Sucking, Relationship Alimony | | |
| **5** | 1-The Importance of the Continuation of the Marriage, Divorce Types<br>2-Divorce by Mutual Consent, Divorce by Court Decisions with the Demans on Womens (Tafriq) | | |
| **6** | Divorce of a Woman Based on Her Authority (tafvîzu't-talak), Dissolution, Dissolved<br>2- Condition of Witness in Divorce, The Conditional Divorce, Condition of Competency in Divorce | | |
| **7** | 1-Divorce in Anger, Loan and Drunkenness, Divorce by Joke, Divorce by Error, Divorce with the Purpose of Deprivation of Inheritance<br>2-2-Consequences of Divorce, Personal Results, Financial Results, Registration of Divorce | | |
| **8** | 1- General Information on Islamic Inheritance Law, Characteristics of Islamic Inheritance Law, Sources of Islamic Inheritance Law, Nature of the Property Left Behind by Deceased and Rights on its.<br>2-The Conditions, Reasons and Barriers of Being Inheritor | | |
| **9** | 1-Inheritance Law Practices, Ashab al-Faraid (Legal Heirs)<br>2-Inheritance Law Practices, Ashab al-Faraid (Legal Heirs) | | |
| **10** | 1-Inheritance Law Practices, Ashab al-Faraid (Legal Heirs)<br>2-Avliya, Raddiya, Issues Related to Inheritance | | |

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| **11** | 1-Place of Public Law in Legal System, Criminal Law, Concept of Crime, Types of Crimes, Features, Elements of Crime<br>2-The Concept of Punishment, Principles of Punishment, Features of Punishment, Reasons Reducing Penalties | |
| **12** | 1-The "Hadd" Crimes and Penalties<br>2-Kisas-Diya Penalties and Crimes Required for them | |
| **13** | 1-The "Ta'zir" Penalties and Crimes Required for them<br>2-Various Bets (Akila, Kasama, Equality of Punishment, The Effect of Repentance on Penalties) | |
| **14** | 1-Concept of Jurisdiction, Jurisdiction Law Literature, Judicial Institutions (Courts and Other Judicial Institutions)<br>2- Judgment Rules (Judge Competencies, Judgment Procedure), Judgment Procedure, Judgment Process, Means of Proof | |

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| **22** | Textbooks, References and/or Other Materials: | 1. Mergînânî, el-Hidâye Şerhu Bidâyeti'l-Mübtedi, İstanbul, I-II, 1986.<br>2. Ayni, el- Binâye fi Şerhi'l-Hidâye, Beyrut, 1990.<br>3. Mevsıli, el- İhtiyâr li Ta'lîli'l-Muhtâr, İstanbul, tsz.<br>4. Meydani, el-Lübab fi Şerhi'l-Kitab, Beyrut, tsz.<br>5. Cürcani, Seyyid Şerif, Şerhu Feraiziü's-Siraciyye, tsz.<br>6. Zeydan, Abdulkerim, el-Veciz fi Usuli'l-Fıkıh,tsz.<br>7. Hallaf, Abdulvehhab, İlmu Usuli'l-Fıkh, tsz.<br>8. Karaman, Hayreddin, Mukayeseli İslam Hukuku, C.1, İstanbul, 1996.<br>9. Acar, H.İbrahim, İslam Hukukunda Evliliğin Sona Ermesi, Erzurum, 2000.<br>10. Karaman, Hayreddin, Anahatlarıyla İslam Hukuku, II, İstanbul, 2010.<br>11. Aktan, Hamza, Mukayeseli İslam Miras Hukuku, İstanbul,1991.<br>12- Acar, H.İbrahim, Nikâh'ta Aleniyet ve İlan, EKEV Akademi Dergisi,2011.<br>13- Acar, H.İbrahim, Mehrin İslam Hukuku Açısından Değerlendirilmesi, İslam Hukuku Araştırmaları Der.2011.<br>14- Acar, H. İbrahim, İslam Aile Hukuku, İstanbul, 2019. |
| **23** | Assesment | |

| **TERM LEARNING ACTIVITIES** | **NUMBER** | **WEIGHT** |
|---|---|---|
| Midterm Exam | 1 | 40.00 |
| Quiz | 0 | 0.00 |
| Home work-project | 0 | 0.00 |
| Final Exam | 1 | 60.00 |
| Total | 2 | 100.00 |
| Contribution of Term (Year) Learning Activities to Success Grade | | 40.00 |
| Contribution of Final Exam to Success Grade | | 60.00 |
| Total | | 100.00 |
| Measurement and Evaluation Techniques Used in the Course | | Multiple choice and classic exam |

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| **24** | **ECTS / WORK LOAD TABLE** |

| Activites | Number | Duration (hour) | Total Work Load (hour) |
|---|---|---|---|
| Theoretical | 14 | 4.00 | 56.00 |
| Practicals/Labs | 0 | 0.00 | 0.00 |
| Self study and preperation | 14 | 3.00 | 42.00 |
| Homeworks | 0 | 0.00 | 0.00 |
| Projects | 0 | 0.00 | 0.00 |
| Field Studies | 0 | 0.00 | 0.00 |
| Midterm exams | 1 | 11.00 | 11.00 |
| Others | 0 | 0.00 | 0.00 |
| Final Exams | 1 | 11.00 | 11.00 |
| Total Work Load | | | 120.00 |
| Total work load/ 30 hr | | | 4.00 |
| ECTS Credit of the Course | | | 4.00 |

| 25 | CONTRIBUTION OF LEARNING OUTCOMES TO PROGRAMME QUALIFICATIONS | | | | | | | | | | | | | | | |
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| | **PQ1** | **PQ2** | **PQ3** | **PQ4** | **PQ5** | **PQ6** | **PQ7** | **PQ8** | **PQ9** | **PQ10** | **PQ11** | **PQ12** | **PQ13** | **PQ14** | **PQ15** | **PQ16** |
| **ÖK1** | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **ÖK2** | 4 | 3 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **ÖK3** | 4 | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **ÖK4** | 0 | 5 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 |
| **ÖK5** | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **ÖK6** | 0 | 5 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **ÖK7** | 0 | 5 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 |
| **ÖK8** | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **ÖK9** | 0 | 4 | 0 | 0 | 0 | 0 | 4 | 0 | 4 | 0 | 4 | 4 | 0 | 0 | 0 | 0 |
| **ÖK10** | 0 | 5 | 0 | 0 | 0 | 0 | 5 | 0 | 5 | 0 | 0 | 5 | 0 | 0 | 0 | 0 |

**LO: Learning Objectives PQ: Program Qualifications**

| **Contribution Level:** | **1 very low** | **2 low** | **3 Medium** | **4 High** | **5 Very High** |
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