ISLAMIC LAW II

1	Course Title:	ISLAMIC LAW II
2	Course Code:	İLA3021
3	Type of Course:	Compulsory
4	Level of Course:	First Cycle
5	Year of Study:	3
6	Semester:	5
7	ECTS Credits Allocated:	3.00
8	Theoretical (hour/week):	2.00
9	Practice (hour/week):	0.00
10	Laboratory (hour/week):	0
11	Prerequisites:	
12	Language:	Arabic
13	Mode of Delivery:	Face to face
14	Course Coordinator:	Doç. Dr. M.SALİH KUMAŞ
15	Course Lecturers:	Prof. Dr. Ali KAYA, Prof. Dr. H. İbrahim ACAR, Doç. Dr. Abdurrahim KOZALI, Dr. Öğr. Üyesi Eren GÜNDÜZ
16	Contact information of the Course Coordinator:	Dr. Öğr. Üyesi M. Salih KUMAŞ msalihkumas@uludа.edu.tr 0 533 331 43 80 Uludağ Üniversitesi İlahiyat Fakültesi-60 289
17	Website:	
18	Objective of the Course:	Teaching the basic concepts, theories and principles in the field of law of property and obligations in Islamic Law
19	Contribution of the Course to Professional Development:	To be able to make a fiqh evaluation of the subjects in the field of property and obligations law in daily life
20	Learning Outcomes:	
	1	To be able to recognize the concepts and theories of Islamic law of property and obligations
	2	To be able to learn the historical development course of Islamic law of property and obligations To recognize the sources of Islamic law of property and obligations
	3	To be able to comprehend the basic issues of Islamic law of property and obligations
	4	To be able to recognize new developments in Islamic law of property and obligations
	5	To be able to interpret Islamic law texts correctly
	6	To be able to comprehend the goods, debts and contract theories of fiqh sects
	7	To be able to recognize current religious issues and to produce solutions
	8	To be able to recognize the regulations in the field of property and obligations law in other legal systems

		9	Ability to generate ideas about new debt relations
		10	To be able to comprehend scientific research methods and techniques of Islamic jurisprudence
21	Course Content:		
	Course Content:		
Week	Theoretical		Practice
1	Subjects of property law; Possession, real right, ibâha, law and milk (ownership) concepts.		
2	The concept of ownership; its description, features, subject and scope.		
3	The concept of goods; its description, scope and parts. Acquisition and loss of ownership, limitation of ownership rights.		
4	Types of Ownership: Ayn-benefit-deyn ownership, intellectual / industrial ownership, private ownership, land ownership, foundation ownership, state ownership, public ownership, one person's ownership, collective ownership.		
5	Limited real rights; usufruct, easement and pledge rights.		
6	The Concept of Debt; its description, elements, parties, subject and reason. Legal act and legal event concepts. Provision, termination and passing of the debt to someone else.		
7	Unilateral will and contract from the sources of debt: description of the contract, terms of establishment, parties and the concept of legal representation. Declaration of will, subject of the contract. Validity (sıhhat), enforcement (nafaz) and binding (necessary) conditions of the contract, types of optionality.		
8	Personal conditions put forward during the establishment of the contract; Ta'lik, idafa and takyid conditions. Types of contract, butlan and fasad theory. Contract freedom and limitation; The concepts of profiteering, expropriation, shuf'a and narh. Termination of contract: termination, substitution, termination and dissolution concepts.		
9	Gratuitous enrichment from debt sources: Definition, elements and states of gratuitous enrichment.		
10	Tort from sources of debt: Definition, elements and types of tort. Tort against individuals and tort against property. Liability law: Criminal, legal, contractual and non-contractual liability: Strict liability, fault liability. The concepts of direction and indirection.		

11	Special debt relations: Bey', salam, ıstısna, ariya, grant, idjara, sarf.	
12	Private debt relations: Karz, vadia, shuf'a, pledge, surety, proxy and hawala.	
13	The concept of shirka (partnership) and the types of shirka: Sharika al-amvâl, sharika al-abdân / a'mâl, sharika al-wujuh, mufavada, inan, muzaraa, musaqat and mugharasa concepts.	
14	Mudaraba partnership as an interest-free finance method, its general provisions and its reflections on commercial life.	

22	Textbooks, References and/or Other Materials:	1- İslam Hukuku El Kitabı, Ed.: Talip Türcan, Grafiker Yay. 2- Mukayeseli İslam Hukuku, Hayrettin Karaman, Ensar Yay. 3- İslam Borçlar Hukuku, Nuri Kahveci, Hikmetevi Yay. 4- İslam Hukukunda Hukuki İşlemler ve Hükümleri, Rahmi Yaran, TDV Yay. 5- İslam Eşya ve Borçlar Hukuku, Mehmet Birsin, Çıra Akademi Yay.
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

24	**ECTS / WORK LOAD TABLE**

Activites	Number	Duration (hour)	Total Work Load (hour)
Theoretical	14	2.00	28.00
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	10.00	10.00
Others	0	0.00	0.00
Final Exams	1	10.00	10.00
Total Work Load			90.00
Total work load/ 30 hr			3.00
ECTS Credit of the Course			3.00

25	CONTRIBUTION OF LEARNING OUTCOMES TO PROGRAMME QUALIFICATIONS															
	PQ1	**PQ2**	**PQ3**	**PQ4**	**PQ5**	**PQ6**	**PQ7**	**PQ8**	**PQ9**	**PQ10**	**PQ11**	**PQ12**	**PQ13**	**PQ14**	**PQ15**	**PQ16**
ÖK1	4	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ÖK2	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ÖK3	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ÖK4	0	2	0	0	0	0	0	0	4	0	0	0	0	0	0	0
ÖK5	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ÖK6	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ÖK7	0	4	0	0	0	0	0	0	5	0	0	0	0	0	0	0
ÖK8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ÖK9	0	3	0	0	0	0	0	0	3	0	0	0	0	0	0	0
ÖK10	0	0	0	0	0	0	0	0	0	0	5	0	0	0	0	0

LO: Learning Objectives PQ: Program Qualifications

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