

Name of Paper: History of Judging (Tarikh Al-Qadha)	
Code: IQDH4014	
The Objective of the Paper: - The students should know the broad perspective of the legal judgment, and its history from pre-Islamic era to the present day. - To study on the prerequisite to become a Judge, his characteristics, his virtues, his specialisation field of study, selection and dismissal of a judge, going against his judgment, and his authority in <i>al-Tahlil</i> and <i>al-Tahrim</i>. - To know how to start lawsuit, its conditions, its pillars, its entails, its types, its contradictions, how to view it, the means to give proof of evidence, and finally to pass judgment.	
Learning Outcome: After the completion of this subject, the student will be able to: - Define the “Judging”, its rulings, its difference with <i>iftaa</i>, and its pillars. - Describe the development stages that the “judging or judgment” since the pre-Islamic era to the present day, and to explain that Islamic Legal Judgment is the base for justice. - To build a comprehensive and clear perspective path in initiating legal lawsuit, as it’s the right way to reach for the legal judging (Judgment).	
A Synopsis of the Paper: The definition of the judgment and identification of its rule and legality, its pillars and the difference between judgment and <i>iftaa</i> . The development of the judgment from the Pre- Islamic era to the present day, selection of a judge, its conditions, manners and rulings.	
Title	Week
مدخل تعريفى بالقضاء.	1
تاريخ القضاء عند العرب والمسلمين. - القضاء عند العرب قبل الإسلام. - القضاء في عهد الرسول - صلى الله عليه وسلم. - القضاء في عهد الخلفاء الراشدين - رضي الله عنهم.	2
- القضاء في عهد الدولة الأموية. - القضاء في عهد الدولة العباسية. - تاريخ القضاء في الأندلس.	3
- القضاء في عهد الدولة الفاطمية. - القضاء في عهد الدولة العثمانية. - القضاء في عهد المملكة العربية السعودية.	4
من أسس القضاء في الإسلام.	5
مفهوم الدعوى وأركانها وحكمها.	6
أنواع الدعاوى وتعارضها.	7
شروط الدعوى.	8
تنظيم سير الدعوى.	9
طرق الحكم والإثبات.	10
أحكام الشهادة.	11
تابع أحكام الشهادة.	12
الحكم بالإقرار واليمين.	13

