



Course Syllabus  
Gyanmanjari Institute of LAW  
Semester-4 (LL.B.)

**Subject:** Family Law-II (Muslim law) - LAWLL14518

**Type of course:** Major (Core)

**Prerequisite:**

Students should have a basic understanding of Islamic principles, including the Quran and Hadith. Familiarity with Fiqh (Islamic jurisprudence) and its various schools of thought is also essential. Lastly, understanding the historical context and application of Sharia in different society is must.

**Rationale:**

The study of Mohammedan law equips students with a comprehensive understanding of how Islamic principles shape personal, family and societal laws, offering a framework for justice, ethics, and governance. Studying Muslim law also promotes intercultural understanding and helps address contemporary issues related to religion, human rights, and global legal systems.

**Teaching and Examination Scheme:**

Teaching Scheme				Credits C	Examination Marks			Total Marks 150	
CI	T	P	C		Theory Marks		CA		
					SEE	MSE	ALA		
05	01	00	06		100	30	20		

Legends: CI-Classroom Instructions; T- Tutorial; P- Practical; C- Credit; SEE- Semester End Evaluation; MSE- Mid Semester Examination; CA-Continuous Assessment; ALA- Active Learning Activities.



**Course Content:**

Sr. No.	Course Content	Hrs.	% Weightage
1	<b>Foundations of Islamic Law:</b> <ul style="list-style-type: none"> <li>Introduction to Islamic Legal System</li> <li>Sources of Muslim Law: Quran, Hadith, Ijma, Qiyas.</li> <li>Distinction between Divine and Human Law in Islam and Overview of Sunni and Shia Jurisprudence.</li> <li>Historical Evolution of Islamic Law</li> <li>Early Islamic Legal Developments</li> </ul>	15	20
2	<b>Islamic Jurisprudence Schools and Islamic personal laws:</b> <ul style="list-style-type: none"> <li>Sunni Schools: Hanafi, Maliki, Shaf'i, and Hanbali</li> <li>Shia Jurisprudence: Ja'fari</li> <li>Marriage(Nikah): conditions, Rights and obligations</li> <li>Divorce (Talaq): Procedures, Types and Validity</li> <li>Divorce by mutual consent and other modes of dissolution</li> <li>Customary dissolution of marriage – unilateral Option of puberty, Restitution of conjugal rights, Judicial separation.</li> <li>Grounds for matrimonial relief: Desertion, Cruelty Adultery, Other grounds for matrimonial relief (Khula and mubaraat)</li> <li>Bar to matrimonial relief</li> <li>Maintenance and Dower (Mahr)</li> </ul>	15	20
3	<b>Alimony and Maintenance :</b> <ul style="list-style-type: none"> <li>Maintenance of neglected wives, divorced wives, minor children, disabled children, and parents who are unable to support themselves: provisions under the Bhartiya Nagarik Surksha Sanhita 2023</li> <li>Maintenance of divorced Muslim women under the Muslim Women (Protection of Rights on Divorce) Act 1986: a critical review</li> <li>Inheritance Law: Principles, Distribution, and Legal Heirs</li> <li>Guardianship and Child Custody (Hadana)</li> <li>Polygamy and Its Legal Provisions</li> </ul>	15	20
4	<b>Islamic Contract Law:</b> <ul style="list-style-type: none"> <li>Elements of Islamic Contracts: Offer, Acceptance, and Consideration</li> <li>Types of Contracts: Sale (Bai), Lease (Ijara)</li> <li>Islamic Banking and Financial Transactions: Riba (Interest) and Profit Sharing (Mudarabah, Musharakah)</li> </ul>	15	20



	• Gifts (Hiba)		
3	<b>General Concepts:</b> <ul style="list-style-type: none"> <li>Uniform Civil Code (UCC): Concept, reasons, Need to enact, problems, relevant Constitutional provisions, judicial pronouncements.</li> <li>Provisions relating to Waqf</li> <li>Case Studies of Landmark Court Decisions in Muslim Jurisprudence.</li> <li>Modern Developments &amp; Judicial Trends</li> </ul>	15	20

**Continuous Assessment:**

Sr. No	Active Learning Activities	Marks
1	<b>Legal Debate:</b> Students will be divided into groups of three students in each group, they will conduct a debate on the most relevant topics, write the underlying main points and upload it on GMIU Web Portal. For e.g.: Waqf, Tripal Talaq, etc.	10
2	<b>Family Court Visit:</b> Students are supposed to visit the Family court of the District and observe the proceedings of the Court. Students will then write their observations in a report form and upload it on GMIU web portal.	10
<b>Total</b>		20

**List of Suggested Tutorials:**

Sr. No.	Suggested Tutorials
1	Understanding the core concept of Origin, sources, and schools of Islamic jurisprudence (Sunni & Shia).
2	Source Mapping Activity: Match case laws or rules with their primary source.
3	Class debate: Deferred Mahr after Divorce."
4	Discussion: "Triple Talaq – Divine Right or Legal Wrong?"
5	Case analysis: Compare Shah Bano and Daniel Latifi cases.
6	Panel discussion: "Is a Uniform Civil Code Compatible with Muslim Law?"



7	Group poster presentation comparing Hanafi vs. Shafi vs. Shia rulings on a sample issue (e.g. inheritance).
8	Tutorial on mapping out hierarchy of guardianship under Muslim law.
9	Group presentation on current topics and Mock Sharia Court: Students act out a case seeking Khula.
10	Interactive inheritance puzzle: Students will calculate shares of heirs in sample problems.

#### Suggested Specification table with Marks (Theory): 100

Distribution of Theory Marks (Revised Bloom's Taxonomy)						
Level	Remembrance (R)	Understanding (U)	Application (A)	Analyze (N)	Evaluate (E)	Create (C)
Weightage	40%	30%	20%	10%	--	--

Note: This specification table shall be treated as a general guideline for students and teachers. The actual distribution of marks in the question paper may vary slightly from above table.

#### Course Outcomes:

After learning the course, the students should be able to:	
CO1	Recall about the primary and secondary sources such as the Quran, Hadith, Ijma (consensus), and Qiyas (analogy), and how they shape Islamic legal principles.
CO2	Understand the rules governing marriage, divorce, Bar to matrimonial relief under Muslim law.
CO3	Analyze and explain about Maintenance, Inheritance law and guardianship.
CO4	Compare Muslim law with other legal systems (such as Hindu or secular law) and appreciate the diversity of legal traditions.

#### Instructional Method:

The course delivery method will depend upon the requirement of content and the needs of students. The teacher, in addition to conventional teaching methods by black board, may also use any tools such as demonstration, role play, Quiz, brainstorming, MOOCs etc.

From the content 10% topics are suggested for flipped mode instruction. Students will use supplementary resources such as online videos, NPTEL/SWAYAM videos, e-courses. The internal evaluation will be done on the basis of Active Learning Assignment.

Practical/Viva examination will be conducted at the end of semester for evaluation performance of students in the laboratory.



**Reference Books:**

- [1] The Principles of Muhammadan Law - N. H. Jhabvala, C. Jamnadas & Co.
- [2] Mohammedan Law (Muslim Law) - Aquil Ahmed, Revised by Iqbal Ali Khan
- [3] Introduction to Muslim Law - Tahir Mahmood & Saif Mahmood
- [4] Principles of Mahomedan Law - Dinshaw Fardunji Mulla
- [5] Outlines of Muhammadan Law - Asaf Ali Asghar Fyzee

