

Islamic Jurisprudence

Islamic jurisprudence is a much misunderstood system. The misunderstanding is due to lack of information and to centuries of prejudice. This book seeks to present information, not at present available in a single work, on the pioneering efforts of Islamic jurists to develop a comprehensive body of human rights, principles and practice, as well as a corpus of international law principles. The attempt to develop such international law principles long anticipated any similar work in other legal or cultural systems. Human rights doctrine based upon the Qu'ran and the Sunna of the Prophet was expressed in terms which will strike the reader as surprisingly modern. In international law, Islamic treatises anticipated the work of Grotius by eight centuries. It is hoped that this systematic exposition, not attempted before in such detail, will help considerably in reducing misunderstanding and the resulting tensions, as well as being of considerable value to the Islamic world. The work will be of interest not only to lawyers, but also to philosophers, historians, sociologists, political scientists and students of international affairs.

Understanding Islamic law is crucial not only for Muslims, but for non-Muslims who work with Muslims in legal contexts as well as for anyone wanting to

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understand the role of Islam in the world today. For unlike western legal systems where religious and legal spheres are kept separate, Islamic law is all-encompassing, directing all human actions. Legal scholar Hisham Ramadan brings together articles to give an excellent overview of the formation of Islamic law and its role in contemporary Islamic and Non-Islamic states. Following an overview of Islamic Law, chapters cover Islamic criminal law, International Humanitarian Law, contract law, & family law. A concluding essay offers an explanation of the legal value of Islam and appendices include original Islamic legal documents from Muhammad's time until today.

Very Short Introductions: Brilliant, Sharp, Inspiring Islamic law is one of the major legal systems in the world today, yet it is often misunderstood, particularly in the West. It is applicable in different forms as part of state law in countries across the Middle East, Asia, and Africa, and also has a strong influence on Muslim communities throughout the Western world. This Very Short Introduction provides an authoritative perspective on the evolution and nature of Islamic law. Mashood A. Baderin considers its theory, covering the history and nature of Islamic jurisprudence; its scope, covering Family Law, Inheritance Law, Financial Law, Penal Law, and International Law; and, finally, its practice. He takes into account both classical and modern scholarly perspectives in examining the various facets

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of Islamic law, to provide an overview of this key legal system. ABOUT THE SERIES: The Very Short Introductions series from Oxford University Press contains hundreds of titles in almost every subject area. These pocket-sized books are the perfect way to get ahead in a new subject quickly. Our expert authors combine facts, analysis, perspective, new ideas, and enthusiasm to make interesting and challenging topics highly readable.

Usul Al-Fiqh is a science which is deeply embedded in the Islamic experience and one which, thanks to its methods and concerns, helped generate an empirical trend in Muslim culture, in turn benefiting western thinking. Itself a creation of influences from within and without, Al-Usul, often called “The Philosophy of Islam,” invites both reason and revelation to work for the harmony and well-being of human society. Although the science of Al-Usul is mainly concerned with legal matters, its range and the arsenal of tools it uses makes it attractive to students of Islamic Jurisprudence as well as to other scholars of Islamic Knowledge and culture. The difficulties it poses are inevitable. This book, however, attempts to simplify this “Most important method of research ever devised by Islamic thought” during its most creative period, and bring it to the understanding and appreciation of the modern learner, while underscoring its importance and relevance to the world of Islam today.

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"This volume provides assessment of sharia's achievements, shortcomings and future prospects. The Sharia is discussed with respect to Ottoman law, puritanism and jihad. The sharia's relevance to today's events is explored. Among items provided in appendices are a commentary on a Western translation of the concept of jihad and an analysis of the sharia in 29 selected countries"--Provided by publisher.

This is an English translation of one of the most famous texts by the influential and charismatic Islamic activist, as-Sadr, who was executed by Saddam Hussein in Iraq in 1980. As-Sadr's books have made him one of the most celebrated Arab Muslim intellectuals of modern times. This text is used throughout the Sunni and Shi'a world by students of Islamic jurisprudence because of its succinctness and intellectual vigour. Mottahedeh's translation is accompanied by a detailed introduction which explains and places in context as-Sadr's views. Representing an attempt to relate a large body of Islamic law to scripture, this translation should be of great interest to students of scripture, hermeneutics and law.

This book offers a new way of understanding classical Islamic theories, holding that divine revelation is necessary for the knowledge of norms and its reading of the issue of reason breaks new ground in Islamic theology, law and ethics. It will appeal to students and scholars of Islamic studies, Islamic ethics, law and post-colonial theory.

This third edition of the best-selling title Principles of Islamic Jurisprudence has been

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completely revised and substantially enlarged. In this work, Prof Kamali offers us the first detailed presentation available in English of the theory of Muslim law (usul al-fiqh). Often regarded as the most sophisticated of the traditional Islamic disciplines, Islamic Jurisprudence is concerned with the way in which the rituals and laws of religion are derived from the Qur'an and the Sunnah—the precedent of the Prophet. Written as a university textbook, Principles of Islamic Jurisprudence is distinguished by its clarity and readability; it is an essential reference work not only for students of Islamic law, but also for anyone with an interest in Muslim society or in issues of comparative Jurisprudence. What is Sharia? What does Islam teach? To what extent do ordinary Muslims know about and understand Islamic rules? How can one learn sharia in a simple, accurate way? How do Muslim scholars derive Sharia rules? The objective of the present book is to be a study course for law students who want to learn how to perform Islamic legal reasoning. The goal is to simplify the material to the point where students who are not professional Islamic scholars can, nevertheless, discuss and analyze sharia. The classic introduction to Islamic law, tracing its development from its origins, through the medieval period, to its place in modern Islam. Since Europeans first colonized Arab lands in the 19th century, they have been pressing to have the area's indigenous laws and legal systems accord with Western models. Although most Arab states now have national codes of law that reflect Western influence, fierce internal struggles continue over how to interpret

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Islamic law, particularly in the areas of gender and family. From different geographical and ideological points across the contemporary Arab world, Haddad and Stowasser demonstrate the range of views on just what Islam's legal heritage in the region should be. For either law or religion classes, *Islamic Law and the Challenges of Modernity* provides the broad historical overview and particular cases needed to understand this contentious issue. Visit our website for sample chapters!

Norman Calder is still considered a luminary in the field of Islamic law. He was one among a handful of Western scholars who were beginning to engage with the subject. In the intervening years, much has changed, and Islamic law is now understood as fundamental to any engagement with the study of Islam, its history, and its society. In this book, Colin Imber has put together and edited four essays by Norman Calder that have never been previously published. Typically incisive, they categorize and analyze the different genres of Islamic juristic literature that was produced between the tenth and fourteenth centuries, showing what function they served both in the preservation of Muslim legal and religious traditions and in the day-to-day lives of their communities. The essays also examine the status and role of the jurists themselves and give clear answers to the controversial questions of how far Islamic law and juristic thinking changed

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over the centuries, and how far it was able to adapt to new circumstances. Words in both law and religion can shape power relationships and are often highly disputed. Shari`a lies within the overlap of these two spheres and provides a unique subject for the study of meaning in that liminal space. This book contributes important insights related to Islamic jurisprudence and secularism in the Turkish context and regarding the role of language in contested legal and religious contexts. The study begins by providing a historical framework for the ideas and terms covered, including concepts of religion in general, Shari`a in particular, and secularism in the Turkish state. It goes on to examine empirical research to describe and analyze contemporary Turkish understandings of religion and Shari`a. The author's research indicates that there is often a disconnect between supporting the adoption of Shari`a and supporting the regulation of everyday behavior through civil codes. Thus, "Shari`a" seems to have taken on new meanings as groups have sought either to appropriate or criticize it. It is a quintessential example of fractured and contextual meaning at the center of both religious and legal traditions. This book is essential reading for both academics and those interested in law, linguistics, history, political science, anthropology, sociology, religious studies, or Near Eastern studies. This volume provides a comprehensive survey of the contemporary study of

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Islamic law and a critical analysis of its deficiencies. Written by outstanding senior and emerging scholars in their fields, it offers an innovative historiographical examination of the field of Islamic law and an ideal introduction to key personalities and concepts. While capturing the state of contemporary Islamic legal studies by chronicling how far the field has come, the Handbook also explains why certain debates recur and indicates fundamental gaps in our knowledge. Each chapter presents bold new avenues for research and will help readers appreciate the contested nature of key concepts and topics in Islamic law. This Handbook will be a major reference work for scholars and students of Islam and Islamic law for years to come.

Principles of Islamic Jurisprudence is one of the best-known textbooks written by the late Ayatullah Sayyid Muhammad Baqir al-Sadr (1934-1980). The current volume, the first in a three-volume series, is written in plain language to introduce beginners to the science of the principles of Islamic jurisprudence (usul). Originally entitled *Durus fi 'Ilm al-Usul* (Discourses on the Science of the Principles of Jurisprudence), but normally known as *Halaqat al-Usul* (Discourses on the Principles of Jurisprudence), the book was a revolutionary attempt at innovative and systematic presentation of the principles of Islamic jurisprudence. In the current volume, the late Ayatullah al-Sadr expounds on the discipline of

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usul and responds to the latest debates and challenges. It was no wonder that following its publication this work replaced other standard textbooks which had hitherto been used to teach the principles of jurisprudence.

This book studies a range of Islamic texts, and employs contemporary legal, religious, and hermeneutical theory to study the methodology of Islamic law.

In *Islamic Jurisprudence on the Regulation of Armed Conflict*, Nesrine Badawi offers a survey of key Islamic legal texts on the subject and analyses the relationship between their deductive structures and the contexts witnessed at the time of their development. A translation of the first of four volumes, this detailed reference provides the four legal views of Islamic acts of worship according to the interpretations of more recent traditionalists rather than from a medieval perspective. Dealing with the forms of worship, the volume elucidates the laws concerning ritual purity, ritual prayers, fasting, spiritual retreats, and the pilgrimage to Mecca which are discussed in-depth. A comprehensive glossary of Islamic terminology is also included, making this foundational text an ideal selection for academic libraries or individuals interested in an essential manual for the performance of religious duties of Islam.

"In [this book], Iza R. Hussin compares India, Malaya, and Egypt during the British colonial period in order to trace the making and transformation of the contemporary category of "Islamic law." She demonstrates that not only is Islamic law not the shari{u06E5}a, but that its present institutional forms, substantive content, symbolic

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vocabulary, and relationship to state and society - in short, its politics - are built upon foundations laid during the colonial encounter. Drawing on extensive archival work in English, Arabic, and Malay - from court records to colonial and local papers to private letters and visual material - Hussin offers a view of politics in the colonial period as an iterative series of negotiations between local and colonial powers in multiple locations. ... Combining a genealogy of law with a political analysis of its institutional dynamics, this book offers an up-close-look at the ways in which global transformations are realized at the local level."--Back cover.

The Principles of Islamic Jurisprudence: Command of the Shariah and Juridical Norms
Islamic Jurisprudence - 3rd Edition
Lulu.com Principles of Islamic Jurisprudence
This book deals with the sources of Islamic jurisprudence and their importance in deducing the religious rulings. It covers the concept of *ijtihad* (independent reasoning), its conditions and application and illustrates why it is a practice for experts rather than laymen. It also explains the differences in the levels of expertise of the *mujtahids*. In fact, there are seven distinct classifications of *mujtahid*. The book also covers the communication of God as Lawgiver with regard to the conduct of liable persons. It details the difference in probative value of communication based on the extent to which it binds an individual be it absolutely binding, a recommendation or mere permissibility. The reader will be able to understand the difference between *fiqh* (law) and *Usul al-Fiqh* (methodology of law). *Fiqh* is the law itself whereas *Usul al-Fiqh* is the methodology

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utilized to extract the law. The relationship between the two disciplines resembles that of the rules of grammar to a language, or of logic to philosophy. Us?l al-Fiqh in this sense provides the standard criteria for the correct deduction of the rulings of fiqh from the sources of Shari'ah (the Qur'an and Sunnah).

Islamic jurisprudence has undergone many historical changes since the time of Prophet Muhammad, and researchers have divided its development into several historical stages. In *Formation of the Islamic Jurisprudence*, Labeeb Ahmed Bsoul presents the history of Islamic jurisprudence from its earliest period. Drawing upon a wide variety of Arabic primary sources to provide an inclusive, unbiased view of the history of jurisprudence, this book covers all the main centers of legal scholarship in the Islamic world, addressing not only the four well-known Sunni legal schools but also defunct Sunni and sectarian legal schools. Bsoul makes intellectual history the center of attention, recognizing the contributions of women to legal scholarship, and avoids attributing academic developments to the events of political history. This book presents a new reading and understanding as Bsoul critically assesses the history, development, and impact of Islamic jurisprudence in the Muslim world.

Professor Coulson's method is to examine the principal currents of Islamic legal thought through a series of conflicting concepts. The six polarizations he has devised are revelation and reason, unity and diversity, authority and liberty, idealism and realism, law and morality, and stability and change. Although clearly relevant to general Islamic

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studies, this book is intended primarily as a study in comparative law. This follows the trend of recent developments in the Islamic legal system itself. In the past, Muslim law has been regarded essentially as a brand of religious studies. Now, however, it is being separated from religion and becoming a province of legal science rather than a matter of religious expertise.

An English translation of al-Mujaz fi Usul al-Fiqh. The science of usul al-fiqh (principles of jurisprudence) discusses the fundamental rules for deriving Islamic laws from reliable sources. This primer on the subject deals with the most important topics of usul al-fiqh in a succinct and clear manner.

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