

## Logic Rhetoric And Legal Reasoning In The Quran Gods Arguments Routledgecurzon Studies In The Quran

Islamic Studies Today: Essays in Honor of Andrew Rippin presents re-readings of and innovative approaches to parts of the qur'anic text itself as well as medieval and modern qur'anic exegesis, its essays based on and inspired by the wide range of research areas and methodologies in which Rippin has been a leading figure.

An edited collection on the historical, religious, and cultural contexts of the origins of the Qur'an.

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The American Journal of Islamic Social Sciences (AJISS), established in 1984, is a quarterly, double blind peer-reviewed and interdisciplinary journal, published by the International Institute of Islamic Thought (IIIT), and distributed worldwide. The journal showcases a wide variety of scholarly research on all facets of Islam and the Muslim world including subjects such as anthropology, history, philosophy and metaphysics, politics, psychology, religious law, and traditional Islam.

In a book that is a blend of text and readings, Martin P. Golding explores legal reasoning from a variety of angles—including that of judicial psychology. The primary focus, however, is on the 'logic' of judicial decision making. How do judges justify their decisions? What sort of arguments do they use? In what ways do they rely on legal precedent? Golding includes a wide variety of cases, as well as a brief bibliographic essay (updated for this Broadview Encore Edition).

A comprehensive study of Muslim thinker al-Ghazali's life and his understanding of cosmology-how God creates things and events in the world, how human acts relate to God's power, and how the universe is structured.

This text is a collection of writings on assigned topics by some scholars and lecturers in the Faculty of Law at Benson Idahosa University and those invited from outside the university. The idea to write a text for use in the study of legal methods for law students was borne out of the desire to present a range of updated material in this area of study. The focus of this text is Nigeria. The book is written in simple, easy-to-understand language, and meant essentially for law students in the first year of the five year course in Law, as structured by the National Universities Commission (NUC). Nevertheless, persons who are in need of information or education on different aspects of the Nigerian legal process will also find aspects of the text useful. The contributors come from diverse backgrounds and experiences, which is reflected in their styles of presentation. However, each has endeavoured to present the assigned topic in such a form as to enhance comprehension by the primary beneficiaries. The inclusion of chapters on advocacy and mooted skills, as well as examination skills and strategies, makes this text unique, and allows it to offer more detailed analysis than existing texts in Nigeria provide.

This handbook addresses legal reasoning and argumentation from a logical, philosophical and legal perspective. The main forms of legal reasoning and argumentation are covered in an exhaustive and critical fashion, and are analysed in connection with more general types (and problems) of reasoning. Accordingly, the subject matter of the handbook divides in three parts. The first one introduces and discusses the basic concepts of practical reasoning. The second one discusses the general structures and procedures of reasoning and argumentation that are relevant to legal discourse. The third one looks at their instantiations and developments of these aspects of argumentation as they are put to work in the law, in different areas and applications of legal reasoning.

This collection contains studies on justice, juridical reasoning and argumentation which contributed to my ideas on the new rhetoric. My reflections on justice, from 1944 to the present day, have given rise to various studies. The first of these was published in English as *The Idea of Justice and the Problem of Argument* (Routledge & Kegan Paul, London, 1963). The others, of which several are out of print or have never previously been published, are reunited in the present volume. As justice is, for me, the prime example of a "confused notion", of a notion which, like many philosophical concepts, cannot be reduced to clarity without being distorted, one cannot treat it without recourse to the methods of reasoning analyzed by the new rhetoric. In actuality, these methods have long been put into practice by jurists. Legal reasoning is fertile ground for the study of argumentation: it is to the new rhetoric what mathematics is to formal logic and to the theory of demonstrative proof. It is important, then, that philosophers should not limit their methodological studies to mathematics and the natural sciences. They must not neglect law in the search for practical reason. I hope that these essays lead to be a better understanding of how law can enrich philosophical thought. CH. P.

An introduction to the Qur'an (Koran), a text that has guided the lives of millions.

Methods of Legal Reasoning describes and criticizes four methods used in legal practice, legal dogmatics and legal theory: logic, analysis, argumentation and hermeneutics. The book takes the unusual approach of discussing in a single study four different, sometimes competing concepts of legal method. Sketched this way, the panorama allows the reader to reflect deeply on questions concerning the methodological conditioning of legal science and the existence of a unique, specific legal method.

This valuable reference work synthesizes and elucidates traditional themes and issues in Islamic philosophy as well as prominent topics emerging from the last twenty years of scholarship. Written for a wide readership of students and scholars, *The Routledge Companion to Islamic Philosophy* is unique in including coverage of both perennial philosophical issues in an Islamic context and also distinct concerns that emerge from Islamic religious thought. This work constitutes a substantial affirmation that Islamic philosophy is an integral part of the Western philosophical tradition. Featuring 33 chapters, divided into seven thematic sections, this volume explores the major areas of philosophy: Logic, Metaphysics, Philosophy in the Sciences, Philosophy of Mind/Epistemology, and Ethics/Politics as well as philosophical issues salient in Islamic revelation, theology, prophecy, and mysticism. Other features include: •A focus on both the classical and post-classical periods •A contributing body that includes both widely respected scholars from around the world and a handful of the very best younger scholars •"Reference" and "Further Reading" sections for each chapter and a comprehensive index for the whole volume The result is a work that captures Islamic philosophy as philosophy. In this way it serves students and scholars of philosophy and religious studies and at the same time provides valuable essays relevant to the study of Islamic thought and theology.

The first volume in this new series explores, through extensive co-operation, new ways of achieving the integration of science in all its diversity. The book offers essays from important and influential philosophers in contemporary philosophy, discussing a range of topics from philosophy of science to epistemology, philosophy of logic and game theoretical approaches. It will be of interest to philosophers, computer scientists and all others interested in the scientific rationality.

The Blackwell Companion to the Qur'an is a reader's guide, a true companion for anyone who wishes to read and understand the Qur'an as a text and as a vital piece of Muslim life. Comprises over 30 original essays by leading scholars Provides exceptionally broad coverage - considering the structure, content and rhetoric of the Qur'an; how Muslims have interpreted the text and how they interact with it; and the Qur'an's place in Islam Features notes, an extensive bibliography, indexes of names, Qur'an citations, topics, and technical terms

Legal theory, political sciences, sociology, philosophy, logic, artificial intelligence: there are many approaches to legal argumentation. Each of them provides specific insights into highly complex phenomena.

Different disciplines, but also different traditions in disciplines (e.g. analytical and continental traditions in philosophy) find here a rare occasion to meet. The present book contains contributions, both historical and thematic, from leading researchers in several of the most important approaches to legal rationality. One of the main issues is the relation between logic and law: the way logic is actually used in law, but also the way logic can make law explicit. An outstanding group of philosophers, logicians and jurists try to meet this issue. The book is more than a collection of papers. However different their respective conceptual tools may be, the authors share a common conception: legal argumentation is a specific argumentation context.

Collects entries that provide understanding on the Qur'an, its history, and different interpretations.

This book engages the diverse meanings and interpretations of Islamic and Western law which have affected people and societies across the globe, past and present, in correlation to the epistemological groundings of those meanings and interpretations. The volume takes a distinctively comparative approach, advancing dialogue on crucial transnational and global debates over the history of Western and Islamic approaches to law, politics and society and their relevance for today. It discusses how fundamental concepts are understood and even translated from one historical or political context or one semantic domain to another. The book provides focused studies of key figures and theories in a manageable, accessible format useful for specialized academic courses and research as well as general audiences.

The largely Arabo-centric approach to the academic study of tafsir has resulted in a lack of literature exploring the diversity of Qur'anic interpretation in other areas of the Muslim-majority world. The essays in *The Qur'an in the Malay-Indonesian World* resolve this, aiming to expand our knowledge of tafsir and its history in the Malay-Indonesian world. Highlighting the scope of Qur'anic interpretation in the Malay world in its various vernaculars, it also contextualizes this work to reveal its place as part of the wider Islamic world, especially through its connections to the Arab world, and demonstrates the strength of these connections. The volume is divided into three parts written primarily by scholars from Malaysia and Indonesia. Beginning with a historical overview, it then moves into chapters with a more specifically regional focus to conclude with a thematic approach by looking at topics of some controversy in the broader world.

Presenting new examinations of an under-researched topic, this book will be of interest to students and scholars of Islamic studies and Southeast Asian studies.

Winner of the Award for Excellence in the Study of Religion: Textual Studies from the American Academy of Religion Fakhr al-Din al-Razi (1148 - 1210) wrote prolifically in the disciplines of theology, Quranic exegesis, and philosophy. He composed treatises on jurisprudence, medicine, physiognomy, astronomy, and astrology. His body of work marks a momentous turning point in the Islamic tradition and his influence within the post-classical Islamic tradition is striking. After his death in 1210 his works became standard textbooks in Islamic institutions of higher learning. Razi investigates his transformative contributions to the Islamic intellectual tradition. One of the leading representatives of Sunni orthodoxy in medieval Islam, Razi was the first intellectual to exploit the rich heritage of ancient and Islamic philosophy to interpret the Quran. Jaffer uncovers Razi's boldly unconventional intellectual aspirations. The book elucidates the development of Razi's unique appropriation of methods and ideas from ancient and Islamic philosophy into a unified Quranic commentary--and consequently into the Sunni worldview. Jaffer shows that the genre of Quranic commentary in the post-classical period contains a wealth of philosophical material that is of major interest for the history of philosophical ideas in Islam and for the interaction of the aqli ("rational") and naqli ("traditional") sciences in Islamic civilization. Jaffer demonstrates the ways Razi reconciled the opposing intellectual trends of his milieu on major methodological conflicts. A highly original work, this book brilliantly repositions the central aims of Razi's intellectual program.

The study of Islamic education has hitherto remained a tangential inquiry in the broader focus of Islamic Studies. In the wake of this neglect, a renaissance of sorts has occurred in recent years, reconfiguring the importance of Islam's attitudes to knowledge, learning and education as paramount in the study and appreciation of Islamic civilization. *Philosophies of Islamic Education*, stands in tandem to this call and takes a pioneering step in establishing the importance of its study for the educationalist, academic and student alike. Broken into four sections, it deals with theological, pedagogic, institutional and contemporary issues reflecting the diverse and often competing notions and practices of Islamic education. As a unique international collaboration bringing into conversation theologians, historians, philosophers, teachers and sociologists of education *Philosophies of Islamic Education* intends to provide fresh means for conversing with contemporary debates in ethics, secularization theory, child psychology, multiculturalism, interfaith dialogue and moral education. In doing so, it hopes to offer an important and timely contribution to educational studies as well as give new insight for academia in terms of conceiving learning and education.

An international group of twenty-one friends and colleagues join together to explore authors, genres and traditions of the Muslim world reflecting and honouring the contribution of Claude Gilliot to Islamic studies.

Assisting students of the English legal system to achieve an understanding of the law, its institutions and processes, this edition sets the law and legal system in its social context and outlines a range of critical views.

The *Dialectical Forge* identifies dialectical disputation (jadal) as a primary formative dynamic in the evolution of pre-modern Islamic legal systems, promoting dialectic from relative obscurity to a more appropriate position at the forefront of Islamic legal studies. The author introduces and develops a dialectics-based analytical method for the study of pre-modern Islamic legal argumentation, examines parallels and divergences between Aristotelian dialectic and early juridical jadal-theory, and proposes a multi-component paradigm—the *Dialectical Forge Model*—to account for the power of jadal in shaping Islamic law and legal theory. In addition to overviews of current evolutionary narratives for Islamic legal theory and dialectic, and expositions on key texts, this work shines an analytical light upon the considerably sophisticated “proto-system” of juridical dialectical teaching and practice evident in Islam's second century, several generations before the first “full-system” treatises of legal and dialectical theory were composed. This proto-system is revealed from analyses of dialectical sequences in the 2nd/8th century Kitāb al-ʿIrqiyān / ʿIrqiyayn (the “subject-text”) through a lens molded from 5th/11th century jadal-theory treatises (the “lens-texts”). Specific features thus uncovered inform the elaboration of a *Dialectical Forge Model*, whose more general components and functions are explored in closing chapters.

When a legal rule requires us to drive on the right, notarize our wills, or refrain from selling bootleg liquor, how are we to describe and understand that requirement? In particular, how does the logical form of such a requirement relate to the logical form of other requirements, such as moral requirements, or the requirements of logic itself? When a general legal rule is applied or

distinguished in a particular case, how can we describe that process in logical form? Such questions have come to preoccupy modern legal philosophy as its methodology, drawing on the philosophy of logic, becomes ever more sophisticated. This collection gathers together some of the most prominent legal philosophers in the Anglo-American and civil law traditions to analyse the logical structure of legal norms. They focus on the issue of defeasibility, which has become a central concern for both logicians and legal philosophers in recent years. The book is divided into four parts. The first section is devoted to unravelling the basic concepts related to legal defeasibility and the logical structure of legal norms, focusing on the idea that law, or its components, are liable to implicit exceptions, which cannot be specified before the law's application to particular cases. Part two aims to disentangle the main relations between the issue of legal defeasibility and the issue of legal interpretation, exploring the topic of defeasibility as a product of certain argumentative techniques in the law. Section 3 of the volume is dedicated to one of the most problematic issues in the history of jurisprudence: the connections between law and morality. Finally, section 4 of the volume is devoted to analysing the relationships between defeasibility and legal adjudication.

Slapper and Kelly's *The English Legal System* explains and critically assesses how our law is made and applied. Trusted by generations of academics and students, this authoritative textbook clearly describes the legal rules of England and Wales and their collective influence as a sociocultural institution. This latest edition of *The English Legal System* has been substantially updated. Slapper & Kelly can always be relied upon for accurate and reliable coverage of all of the latest developments which impact on the legal system in England and Wales. Key learning features include: useful chapter summaries which act as a good check point for students 'food for thought' questions at the end of each chapter to prompt critical thinking and reflection sources for further reading and suggested websites at the end of each chapter to point students towards further learning pathways an online skills network including how tos, practical examples, tips, advice and interactive examples of English law in action. Relied upon by generations of students, Slapper and Kelly's *The English Legal System* is a permanent fixture in this ever-evolving subject.

Through careful analyses of notable cases from Canada, the United States, and the United Kingdom, Greig Henderson analyses how the rhetoric of storytelling often carries as much argumentative weight within a judgement as the logic of legal distinctions.

Whether you are engaged in the study of law, are considering studying law at university, are a business professional or want to find out more about the law in general, Slapper and Kelly's *English Law* offers a clear, lively and reliable point of entry to the law in England and Wales. Presented in an easy-to-read style, it provides readers with an accurate explanation of how the English legal system currently works and the content of English law in all its key areas of operation, including criminal law, contract law and the law of negligence. An invaluable introduction, *English Law* is an excellent resource for students of the English legal system and English law, as well as for professionals and general readers.

This book is an updated and revised edition of *Fundamentals of Legal Argumentation* published in 1999. It discusses new developments that have taken place in the past 15 years in research of legal argumentation, legal justification and legal interpretation, as well as the implications of these new developments for the theory of legal argumentation. Almost every chapter has been revised and updated, and the chapters include discussions of recent studies, major additions on topical issues, new perspectives, and new developments in several theoretical areas. Examples of these additions are discussions of recent developments in such areas as Habermas' theory, MacCormick's theory, Alexy's theory, Artificial Intelligence and law, and the pragma-dialectical theory of legal argumentation. Furthermore it provides an extensive and systematic overview of approaches and studies of legal argumentation in the context of legal justification in various legal systems and countries that have been important for the development of research of legal argumentation. The book contains a discussion of influential theories that conceive the law and legal justification as argumentative activity. From different disciplinary and theoretical angles it addresses such topics as the institutional characteristics of the law and the relation between general standards for moral discussions and legal standards such as the Rule of Law. It discusses patterns of legal justification in the context of different types of problems in the application of the law and it describes rules for rational legal discussions. The combination of the sound basis of the first edition and the discussions of new developments make this new edition an up-to-date and comprehensive survey of the various theoretical influences which have informed the study of legal argumentation. It discusses salient backgrounds to this field as well as major approaches and trends in the contemporary research. It surveys the relevant theoretical factors both from various continental law traditions and common law countries.

Have you ever read a legal opinion and come across an odd term like the fallacy of denying the antecedent, the fallacy of the undistributed middle, or the fallacy of the illicit process and wondered how you missed that in law school? You're not alone: every day, lawyers make arguments that fatally trespass the rules of formal logic—without realizing it—because traditional legal education often overlooks imparting the practical wisdom of ancient philosophy as it teaches students how to “think like a lawyer.” In his book, *The Force of Logic: Using Formal Logic as a Tool in the Craft of Legal Argument*, lawyer and law professor Stephen M. Rice guides you to develop your powers of legal reasoning in a new way, through effective tips and tactics that will forever change the way you argue your cases. Rice contends that formal logic provides tools that help lawyers distinguish good arguments from bad ones and, moreover, that they are simple to learn and use. When you know how to recognize logical fallacies, you will not only strengthen your own arguments, but you will also be able to punch holes in your opponent's—and that can make the difference between winning and losing. In this book, Rice builds on the theoretical foundation of formal logic by demonstrating logical fallacies through the use of anecdotes, examples, graphical illustrations, and exercises for you to try that are derived from common case documents. It is a hands-on primer that presents a practical approach for understanding and mastering the place of formal logic in the art of legal reasoning. Whether you are a lawyer, a judge, a scholar, or a student, *The Force of Logic* will inspire you to love legal argument, and appreciate its beauty and complexity in a brand new way.

*Islam and Rationality* offers an account of Abū al-Ghazālī as a rational theologian who created a symbiosis of philosophy and theology and infused rationality into Sufism, and how his work was received by later Muslim, Christian and Jewish scholars.

This book is the first of its kind to focus entirely on the Qur'anic interpretation of Abu Hamid al-Ghazali (1058-1111), a towering figure of Sunni Islam. Martin Whittingham explores both al-Ghazali's hermeneutical methods and his interpretations of particular Quranic texts, and covers al-Ghazali's mystical, legal and theological concerns. Divided into two parts: part one examines al-Ghazali's legal and Sufi theoretical discussions part two asks how these theories relate to his practice, analysing the only three of al-Ghazali's works which are centrally concerned with interpreting particular Qur'anic passages: *Jawahir al-Qur'an* (The Jewels of the Qur'an); *Al-Qist as al-mustaqim* (The Correct Balance); and *Mishkat al-anwar* (The Niche for Lights). Providing a new point of access to the works of al-Ghazali, this book will be welcomed by scholars and students of Islamic studies, religious studies, hermeneutics, and anyone interested in how Muslims understand the Qur'an.

Is legal reasoning rationally persuasive, working within a discernible structure and using recognisable kinds of arguments? Does it belong to rhetoric in this sense, or to the domain of the merely 'rhetorical' in an adversative sense? Is there any reasonable certainty about legal outcomes in dispute-situations? If not, what becomes of the Rule of Law? Neil MacCormick's book tackles these questions in establishing

an overall theory of legal reasoning which shows the essential part 'legal syllogism' plays in reasoning aimed at the application of law, while acknowledging that simple deductive reasoning, though always necessary, is very rarely sufficient to justify a decision. There are always problems of relevancy, classification or interpretation in relation to both facts and law. In justifying conclusions about such problems, reasoning has to be universalistic and yet fully sensitive to the particulars of specific cases. How is this possible? Is legal justification at this level consequentialist in character or principled and right-based? Both normative coherence and narrative coherence have a part to play in justification, and in accounting for the validity of arguments by analogy. Looking at such long-discussed subjects as precedent and analogy and the interpretative character of the reasoning involved, Neil MacCormick expands upon his celebrated *Legal Reasoning and Legal Theory* (OUP 1978 and 1994) and restates his 'institutional theory of law'.

What is language? How did it originate and how does it work? What is its relation to thought and, beyond thought, to reality? Questions like these have been at the center of lively debate ever since the rise of scholarly activities in the Islamic world during the 8th/9th century. However, in contrast to contemporary philosophy, they were not tackled by scholars adhering to only one specific discipline. Rather, they were addressed across multiple fields and domains, no less by linguists, legal theorists, and theologians than by Aristotelian philosophers. In response to the different challenges faced by these disciplines, highly sophisticated and more specialized areas emerged, comparable to what nowadays would be referred to as semantics, pragmatics, and hermeneutics, to name but a few – fields of research that are pursued to this day and still flourish in some of the traditional schools. Philosophy of language, thus, has been a major theme throughout Islamic intellectual culture in general; a theme which, probably due to its trans-disciplinary nature, has largely been neglected by modern research. This book brings together for the first time experts from the various fields involved, in order to explore the riches of this tradition and make them accessible to a broader public interested both in philosophy and the history of ideas more generally.

The themes of this volume encompass the lifelong interests of one of the most eminent and learned Jewish scholars of our time: Qumran, Hellenism, Rabbinics and chronography. The contributors, leading scholars in these fields, have produced what is a benchmark of modern scholarship of Judaism in the Graeco-Roman period.

In *Muslim Exegesis of the Bible in Medieval Cairo*, Lejla Demiri makes Najm al-D n al- f s (d. 716/1316) extraordinary commentary on the Christian scriptures available for the first time in a scholarly edition and English translation, with a full introduction.

This book does not champion some of the popular misconceptions surrounding Islamic law. It does not advocate stoning to death; amputating the hands of thieves; call for the death penalty for those who leave the fold of Islam; or urge Muslims to save their souls from Hellfire by shunning bank loans for fear of incurring interest. What it does advocate is less sensationalistic, but it is in line with the real interpretation of Islamic law. *Contemporary Interpretation of Islamic Law* is divided into thirteen chapters. The majority of the chapters concentrate on criminal aspects of Islamic law, while the remainder concern themselves with social issues. Each chapter – where possible – provides background information of the topic under discussion and then proceeds to analyse, examine and critique the contentious parts of the topic, looking at the arguments from all sides and the evidence put forward by each side before arriving at a conclusion. The book is accompanied by a glossary. "Our work differs from other published titles on Islamic law as it takes into account the different aspects of the Qur'an. The Qur'an employs many parables, allegories and metaphors to highlight important messages for Mankind, yet jurists often make the common mistake of either omitting or misinterpreting these devices, resulting in inaccurate and often unlawful rulings which have direct and indirect effects on both Muslims and non-Muslims alike. It is hoped that our work will create a better understanding of the correct interpretation of the Qur'an and Islamic law," says authors Ahmed Affi and Hassan Affi. *Contemporary Interpretation of Islamic Law* will appeal to those with an interest in Islam and Islamic law, though no specialist knowledge of Arabic or Islamic law is required.

*Islam: The Key Concepts* is a clear and concise guide to the religion and culture of Islam. Kecia Ali and Oliver Leaman explore this highly topical subject focusing on key issues including: the Qur'an, faith, theology, gender, fundamentalism, martyrdom, Jihad, Islam in America, Islam in Europe and Islamic Law. This is the ideal study resource and includes: a comprehensive introduction, an alphabetical list of relevant terms (fully cross-referenced), a short bibliographical guide, bibliography, and index. A glossary of all non-English terms is also provided.

This ebook is a selective guide designed to help scholars and students of Islamic studies find reliable sources of information by directing them to the best available scholarly materials in whatever form or format they appear from books, chapters, and journal articles to online archives, electronic data sets, and blogs. Written by a leading international authority on the subject, the ebook provides bibliographic information supported by direct recommendations about which sources to consult and editorial commentary to make it clear how the cited sources are interrelated. A reader will discover, for instance, the most reliable introductions and overviews to the topic, and the most important publications on various areas of scholarly interest within this topic. In Islamic studies, as in other disciplines, researchers at all levels are drowning in potentially useful scholarly information, and this guide has been created as a tool for cutting through that material to find the exact source you need. This ebook is a static version of an article from *Oxford Bibliographies Online: Islamic Studies*, a dynamic, continuously updated, online resource designed to provide authoritative guidance through scholarship and other materials relevant to the study of the Islamic religion and Muslim cultures. *Oxford Bibliographies Online* covers most subject disciplines within the social science and humanities, for more information visit [www.aboutobo.com](http://www.aboutobo.com).

Muslims have always used verses from the Qur'an to support opinions on law, theology, or life in general, but almost no attention has been paid to how the Qur'an presents its own precepts as conclusions proceeding from reasoned arguments. Whether it is a question of God's powers of creation, the rationale for his acts, or how people are to think clearly about their lives and fates, Muslims have so internalized Qur'anic patterns of reasoning that many will assert that the Qur'an appeals first of all to the human powers of intellect. This book provides a new key to both the Qur'an and Islamic intellectual history.

*Examining Qur'anic argument by form and not content* helps readers to discover the significance of passages often ignored by the scholar who compares texts and the believer who focuses upon commandments, as it allows scholars of Qur'anic exegesis, Islamic theology, philosophy, and law to tie their findings in yet another way to the text that Muslims consider the speech of God.

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