

W A E L B. H A L L A Q

A HISTORY OF
ISLAMIC
LEGAL
THEORIES



An introduction
to *Sunnī uṣūl al-fiqh*

A History Of Islamic Legal Theories An Introduction To Sunni Usul Al Fiqh

Hamid Mavani



A History Of Islamic Legal Theories An Introduction To Sunni Usul Al Fiqh:

A History of Islamic Legal Theories Wael B. Hallaq, 1997 Wael B Hallaq has already established himself as one of the most eminent scholars in the field of Islamic law In this book first published in 1997 the author traces the history of Islamic legal theory from its early beginnings until the modern period Initially he focuses on the early formation of this theory analysing its central themes and examining the developments which gave rise to a variety of doctrines He concludes with a discussion of modern thinking about the theoretical foundations and methodology of Islamic law In organisation approach to the subject and critical apparatus the book will be an essential tool for the understanding of Islamic legal theory in particular and Islamic law in general This in combination with an accessibility of language and style will guarantee a readership among students and scholars and anyone interested in Islam and its evolution [A History of Islamic Legal Theories](#) ,1997

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Islamic legal scholarship this Handbook offers a direct and accessible introduction to Islamic law and the academic debates within the field Topics include textual sources and authority institutions substantive legal areas Islamic legal philosophy and Islamic law in the Muslim World and in Muslim minority countries *The Oxford Handbook of Islam and Politics* John L. Esposito, Emad El-Din Shahin, 2016 The Oxford Handbook of Islam and Politics with contributions from prominent scholars and specialists provides a comprehensive analysis of what we know and where we are in the study of political Islam The Muslim Brotherhood Barbara Zollner, 2009-01-13 This book examines the Muslim Brotherhood under the leadership of Hasan al Hudaybi and how he sought to steer the organization away from the radical wing inspired by Sayyid Qutb into the more moderate Islamist organization it is today **The Encyclopedia of Christianity** Erwin Fahlbusch, Geoffrey William Bromiley, 1999 Containing more than 300 articles covering the alphabetical entries P Sh this book also includes articles on significant topics ranging from Paul political theology and the Qur an to religious liberty salvation history and scholasticism

Islamic Law Hunt Janin, André Kahlmeyer, 2015-01-09 The sharia is a set of traditional laws that define a Muslim s obligations to God and his fellow human beings Westerners often misunderstand the nature of the sharia born as it is of a complicated legal and academic tradition that may not always seem relevant to today s world Written for those unfamiliar with Islam this volume provides an accurate and objective assessment of the sharia s achievements shortcomings and future prospects It explores the fundamentals of Islam and traditional sharia laws In addition the sharia is discussed with respect to Ottoman law puritanism and jihad The sharia s relevance to today s world events is also 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 *Women, Islam and International Law* Ekaterina Yahyaoui Krivenko, 2009 Islam and womena TM s human rights entertain an uneasy relationship Much has been written on the subject This volume addresses it from a new perspective It attempts to define some basis for constructive dialogue and interaction in the context of international law and more precisely in the context of participation of many Muslim States in the United Nations Convention on the Elimination of All Forms of Discrimination Against Women Having discovered a constructive potential in both Islam and womena TM s human rights the author concentrates on the role which international law should play in promoting dialogue and constructive interaction This is done mainly through analysis of the regime of reservations and of the practice of reservations developed in the context of Muslim Statesa TM participation in the CEDAW The basic thesis defended is the following Islam as articulated in the practice of States and womena TM s human rights as reflected in international instruments are both results of human activity Their analysis in this study reveals more commonalities than one might expect International law should be more attentive to their voices and more innovative in using these commonalities in order to promote constructive dialogue between them and thus help to improve the situation of women suffering from discrimination and inequalities *An Islamic Reformation?* Michaelle Browers, Charles Kurzman, 2004-01-01 This book brings together scholars with expertise in modern Islamic thought and

practice to evaluate the claim that we are witnessing something tantamount to an Islamic Reformation by assessing the character and impact of various reformist trends in the Middle East and North Africa Each chapter also addresses the question of the appropriateness and usefulness of comparisons between Christian and Islamic or Western and Eastern reformations

Reconsidering Islam in a South Asian Context M. Reza Pirbhay, 2009-09-30 Despite late reconsideration a dominant paradigm rooted in Orientalist essentialisations of Islam as statically legalistic and Muslims as uniformly transgressive when local customs are engaged continues to distort perspectives of South Asia's past and present This has led to misrepresentations of pre colonial Muslim norms and undue emphasis on colonial reforms alone when charting the course to post coloniality This book presents and challenges staple perspectives with a comprehensive reinterpretation of doctrinal sources literary expressions and colonial records spanning the period from the reign of the Great Mughals to end of the British Raj 1526 1947 The result is an alternative vision of this transformative period in South Asian history and an original paradigm of Islamic doctrine and Muslim practice applicable more broadly

Law, Anthropology, and the Constitution of the Social Alain Pottage, Martha Mundy, 2004-06-24 This collection of interdisciplinary essays explores how persons and things the central elements of the social are fabricated by legal rituals and institutions The contributors legal and anthropological theorists alike focus on a set of specific institutional and ethnographic contexts and some unexpected and thought provoking analogies emerge from this intellectual encounter between law and anthropology For example contemporary anxieties about the legal status of the biotechnological body seem to resonate with the questions addressed by ancient Roman law in its treatment of dead bodies The analogy between copyright and the transmission of intangible designs in Melanesia suddenly makes western images of authorship seem quite unfamiliar A comparison between law and laboratory science presents the production of legal artefacts in new light These studies are of particular relevance at a time when law faced with the inventiveness of biotechnology finds it increasingly difficult to draw the line between persons and things

A History of the Muslim World to 1405 Vernon O Egger, 2016-06-23 Muslims first appeared in the early seventh century as members of a persecuted religious movement in a sun baked town in Arabia Within a century their descendants were ruling a vast territory that extended from the Atlantic Ocean to the Indus River valley in modern Pakistan This region became the arena for a new cultural experiment in which Muslim scholars and creative artists synthesized and reworked the legacy of Rome Greece Iran and India into a new civilization A History of the Muslim World to 1405 traces the development of this civilization from the career of the Prophet Muhammad to the death of the Mongol emperor Timur Lang Coverage includes the unification of the Dar al Islam the territory ruled by Muslims the fragmentation into various religious and political groups including the Shi'ite and Sunni and the series of catastrophes in the twelfth and thirteenth centuries that threatened to destroy the civilization Features Balanced coverage of the Muslim world encompassing the region from the Iberian Peninsula to South Asia Detailed accounts of all cultures including major Shi'ite groups and the Sunni community Primary sources

Numerous maps and photographs featuring a special four color art insert Glossary charts and timelines **A Critique of Creative Shari'ah Compliance in the Islamic Finance Industry** Ahmad A Alkhamees,2017-09-18 Ahmad Alkhamees defines Creative Shari'ah compliance as compliance with the letter but not the objectives of Shari'ah In recent years Islamic finance industry practises have come under scrutiny with strong critiques levelled against many institutions that claim to provide Shari'ah compliant products and services which in fact undermine the spirit and the objectives of Shari'ah This book significantly contributes to the sphere of Islamic finance in three main ways First it critically appraises justifications of creative Shari'ah compliance practises Second it examines how Shari'ah supervisory board SSB governance practises and the inconsistent fatwas issued by SSBs contribute to the issue of creative Shari'ah compliance Most importantly it suggests regulatory mechanisms which regulators can employ in Islamic countries such as Saudi Arabia and in secular countries such as the United Kingdom to deal with the issue of creative Shari'ah compliance Contracting Fear Khurram Dara,2015-10-22 If you've ever read a news story about radical Islam you've probably seen sharia law mentioned But for something that is becoming increasingly prevalent in political rhetoric it's hard to believe how little most people actually know about Islamic law In this concise and instructive book Khurram Dara explains not only the history and origins of Islamic law but also the interesting role it has played in the politics of the Middle East and Middle America Challenging the conventional wisdom that Islamic law is rigid and permanent Dara argues that the political and cultural realities of its formation suggest otherwise and should change how Islamic law is thought of and discussed in both the East and the West Combining religious history with legal analysis Contracting Fear explains Islamic law in the context of the global political climate today Shariah John L. Esposito,Natana J. DeLong-Bas,2018 Most Americans and Europeans have by now heard of Shariah In the West politicians media commentators televangelists and others have stoked fears that Muslims intend to impose a repressive rule based on Shariah in America and Europe Shariah has been portrayed as a medieval system that oppresses women stifles human rights and imposes harsh punishments like stoning and amputation In reality however Shariah is a complex concept that has been interpreted in many ways over time and around the world It plays a vital role in the lives of Muslims around the world offering guidance on everything from personal morality to ritual practices family life and finance In this timely addition to Oxford's What Everyone Needs to Know R series John Esposito and Natana DeLong Bas offer an accessible and thorough guide to this little understood but often caricatured system The book provides clear and even handed answers to a wide range of questions covering the history development content and practice of Shariah What are its origins What is a Shariah court and how does it work How does a person become a Muslim in the eyes of Islamic law Does Islamic law allow Muslims to marry non Muslims What are blasphemy laws and how are they enforced How does Islamic law govern trade and contracts of sale Do Muslims in the West want Shariah Law Is there a need to protect American and European societies from the imposition of Shariah By answering the questions that so many people have about Shariah and its role in Muslim life this

book makes an invaluable contribution to the crucial task of fostering mutual understanding in our globalizing pluralistic societies

Visions of Shari'a Ali-reza Bhojani, Laurens de Rooij, Michael Bohlander, 2019-11-11 In *Visions of Shar a* Bhojani De Rooij and Bohlander present the first broad examination of ways in which legal theory u l al fiqh within Twelver Sh thought continues to be a forum for vibrant debates regarding the assumptions epistemology and hermeneutics of Shar a in contemporary Sh thought Bringing together authoritative voices and emerging scholars from both traditional seminaries and Western academies the distinct critical insider and emic accounts provided develop a novel avenue in Islamic legal studies Contextualised through reference to the history of Sh legal theory as well as contemporary juristic practice and socio political considerations the volume demonstrates how one of the most intellectually vibrant and developed discourses of Islamic thought continues to be a key forum for exploring visions of Shar a

Law and Religion in Public Life Nadirsyah Hosen, Richard Mohr, 2011-04-27 The book is unique in bringing together leading scholars and respected religious leaders to address contemporary issues in the relationship of law religion and the state The book highlights the interaction between secular law and religion with particular attention being given to the implications for law and society religious tolerance and freedom The book focuses on the practical and topical issues that have arisen in recent years in Australia As one of the most ethnically diverse countries in the world a pioneer of multicutural policies in immigration and social justice Australia is a revealing site for contemporary studies in a world afraid of immigration and terrorism issues that are affecting much of the globe

Religious Authority and Political Thought in Twelver Shi'ism Hamid Mavani, 2013-06-26 Ranging from the time of the infallible Imams to the contemporary era this book provides a comprehensive overview of Shi i religious and political authority focusing on Iran and Lebanon without limiting the discourse to Khomeini s version of an Islamic State Utilising untapped Arabic and Persian sources Hamid Mavani provides a detailed nuanced and diverse theoretical discussion on the doctrine of leadership Imamate in Shi ism from traditional theological philosophical and mystical perspectives This theoretical discussion becomes the foundation for an analysis of the transmission of the Twelfth Imam s religious and political authority vis vis the jurists during his Greater Occultation Bringing the often overlooked diversity within the Shi i tradition into sharp focus *Religious Authority and Political Thought in Twelver Shi ism* discusses what constitutes an Islamic state if there is such a notion as an Islamic state Hamid Mavani further explores the possibility of creating a space for secularity facilitating a separation between religion and state and ensuring equal rights for all This book argues that such a development is only possible if there is a rehabilitation of ijtihad If this were to materialise modern religious social economic political and cultural challenges could be addressed more successfully This book will be of use to scholars and students with interests ranging from Politics to Religion to Middle East Studies

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