

Cambridge Studies in Islamic Civilization

Roman, provincial and Islamic law

The origins of the Islamic patronate

Patricia Crane



Roman Provincial And Islamic Law The Origins Of The Islamic Patronate

Tobias Bleicker



Roman Provincial And Islamic Law The Origins Of The Islamic Patronate:

Roman, Provincial and Islamic Law Patricia Crone, 2002-07-18 This book tests the hypothesis that Roman law was a formative influence on Islamic law The Origins of Islamic Jurisprudence Harald Motzki, 2021-10-01 The current view among Western scholars of Islam concerning the early development of Islamic jurisprudence was shaped by Joseph Schacht's famous study on the subject published 50 years ago Since then new sources became available which make a critical review of his theories possible and desirable This volume uses one of these sources to reconstruct the development of jurisprudence at Mecca virtually unknown until now from the beginnings until the middle of the second Islamic century New methods of analysis are developed and tested in order to date the material contained in the earliest compilations of legal traditions more properly As a result the origins of Islamic jurisprudence can be dated much earlier than claimed by Schacht and his school

The Ashgate Research Companion to Islamic Law Peri Bearman, 2016-03-16 This unparalleled Companion provides a comprehensive and authoritative guide to Islamic law to all with an interest in this increasingly relevant and developing field The volume presents classical Islamic law through a historiographical introduction to and analysis of Western scholarship while key debates about hot button issues in modern day circumstances are also addressed In twenty one chapters distinguished authors offer an overview of their particular specialty reflect on past and current thinking and point to directions for future research The Companion is divided into four parts The first offers an introduction to the history of Islamic law as well as a discussion of how Western scholarship and historiography have evolved over time The second part delves into the substance of Islamic law Legal rules for the areas of legal status family law socio economic justice penal law constitutional authority and the law of war are all discussed in this section Part three examines the adaptation of Islamic law in light of colonialism and the modern nation state as well as the subsequent re Islamization of national legal systems The final section presents contemporary debates on the role of Islamic law in areas such as finance the diaspora modern governance and medical ethics and the volume concludes by questioning the role of Sharia law as a legal authority in the modern context By outlining the history of Islamic law through a linear study of research this collection is unique in its examination of past and present scholarship and the lessons we can draw from this for the future It introduces scholars and students to the challenges posed in the past to the magnitude of milestones that were achieved in the reinterpretation and revision of established ideas and ultimately to a thorough conceptual understanding of Islamic law The Beginnings of Islamic Law Lena Salaymeh, 2016-11-14 This is a major and innovative contribution to our understanding of the historical unfolding of Islamic law Scrutinizing its historical contexts Salaymeh proposes that Islamic law is a continuous intermingling of innovation and tradition The book's interdisciplinary approach provides accessible explanations and translations of complex materials and ideas The Oxford Handbook of Islamic Law Anver M. Emon, Rume Ahmed, 2018 A comprehensive guide to 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 New Cambridge History of Islam: Volume 1, The Formation of the Islamic World, Sixth to Eleventh Centuries** Chase F. Robinson, 2010-11-04 Volume One of The New Cambridge History of Islam which surveys the political and cultural history of Islam from its Late Antique origins until the eleventh century brings together contributions from leading scholars in the field The book is divided into four parts The first provides an overview of the physical and political geography of the Late Antique Middle East The second charts the rise of Islam and the emergence of the Islamic political order under the Umayyad and the Abbasid caliphs of the seventh eighth and ninth centuries followed by the dissolution of the empire in the tenth and eleventh Regionalism the overlapping histories of the empire's provinces is the focus of Part Three while Part Four provides a cutting edge discussion of the sources and controversies of early Islamic history including a survey of numismatics archaeology and material culture

The Canonization of Islamic Law Ahmed El Shamsy, 2013-10-21 Ahmed El Shamsy's The Canonization of Islamic Law is a detailed history of the birth of classical Islamic law It shows how Islamic law and its institutions emerged out of the canonization of the sacred sources of Quran and Sunna prophetic practice in the eighth and ninth centuries CE The book focuses on the ideas and influence of the jurist al Shafi'i d 820 CE who inaugurated the process of canonization and it paints a rich picture of the intellectual engagements political turbulence and social changes that formed the context of his and his followers careers **The Anthropology of Islamic Law** Aria Nakissa, 2019-04-05 The Anthropology of Islamic Law shows how hermeneutic theory and practice theory can be brought together to analyze cultural legal and religious traditions These ideas are developed through an analysis of the Islamic legal tradition which examines both Islamic legal doctrine and religious education The book combines anthropology and Islamicist history using ethnography and in depth analysis of Arabic religious texts The book focuses on higher religious learning in contemporary Egypt examining its intellectual ethical and pedagogical dimensions Data is drawn from fieldwork inside al Azhar University Cairo University's Dar al Ulum and the network of traditional study circles associated with the al Azhar mosque Together these sites constitute the most important venue for the transmission of religious learning in the contemporary Muslim world The book gives special attention to contemporary Egypt and also provides a broader analysis relevant to Islamic legal doctrine and religious education throughout history

Child Custody in Islamic Law Ahmed Fekry Ibrahim, 2018-08-09 Pre modern Muslim jurists drew a clear distinction between the nurturing and upkeep of children or custody and caring for the child's education discipline and property known as guardianship Here Ahmed Fekry Ibrahim analyzes how these two concepts relate to the welfare of the child and traces the development of an Islamic child welfare jurisprudence akin to the Euro American concept of the best interests of the child enshrined in the Convention on the Rights of the Child CRC Challenging Euro American exceptionalism he argues that child welfare played an essential role in agreements designed by early modern Egyptian judges and families

and that Egyptian child custody laws underwent radical transformations in the modern period Focusing on a variety of themes including matters of age and gender the mother s marital status and the custodian s lifestyle and religious affiliation Ibrahim shows that there is an exaggerated gap between the modern concept of the best interests of the child and pre modern Egyptian approaches to child welfare *A New Introduction to Islam* Daniel W. Brown,2017-02-16 Covering the origins key features and legacy of the Islamic tradition the third edition of *A New Introduction to Islam* includes new material on Islam in the 21st century and discussions of the impact of historical ideas literature and movements on contemporary trends Includes updated and rewritten chapters on the Qur an and hadith literature that covers important new academic research Compares the practice of Islam in different Islamic countries as well as acknowledging the differences within Islam as practiced in Europe Features study questions for each chapter and more illustrative material charts and excerpts from primary sources **Late Ottoman Origins of Modern Islamic Thought** Andrew Hammond,2022-11-17 In this major contribution to Muslim intellectual history Andrew Hammond offers a vital reappraisal of the role of Late Ottoman Turkish scholars in shaping modern Islamic thought Focusing on a poet a sheikh and his deputy Hammond re evaluates the lives and legacies of three key figures who chose exile in Egypt as radical secular forces seized power in republican Turkey Mehmed Akif Mustafa Sabri and Zahid Kevseri Examining a period when these scholars faced the dual challenge of non conformist trends in Islam and Western science and philosophy Hammond argues that these men alongside Said Nursi who remained in Turkey were the last bearers of the Ottoman Islamic tradition Utilising both Arabic and Turkish sources he transcends disciplinary conventions that divide histories along ethnic linguistic and national lines highlighting continuities across geographies and eras Through this lens Hammond is able to observe the long neglected but lasting impact that these Late Ottoman thinkers had upon Turkish and Arab Islamist ideology *Forgiveness: An Interdisciplinary Dialogue* ,2020-05-06

The Formation of Islamic Law Wael B. Hallaq,2016-12-05 The fourteen studies included in this volume have been chosen to serve several purposes simultaneously At a basic level they aim to provide a general if not wholly systematic coverage of the emergence and evolution of law during the first three and a half centuries of Islam On another level they reflect the different and at times widely divergent scholarly approaches to this subject matter These two levels combined will offer a useful account of the rise of Islamic law not only for students in this field but also for Islamicists who are not specialists in matters of law comparative legal historians and others At the same time however and as the Introduction to the work argues this collection of distinguished contributions illustrates both the achievements and the shortcomings of paradigmatic scholarship on the formative period of Islamic law **Islamic Imperial Law** Benjamin Jokisch,2011-12-01 Die bisherige Forschung geht davon aus dass das islamische Recht von unabh ngigen Juristen entwickelt wurde Dabei sind mitunter Einfl sse aus fremden Rechtssystemen eingebracht worden doch eine gezielte Rezeption galt stets als ausgeschlossen In einer Vergleichsanalyse die auf der Pr misse einer massiven Interaktion der Kulturen in jener Zeit basiert l

sst sich nun nachweisen dass das erste monumentale Rechtswerk im Islam die Zhir ar riw ya des ayb n strukturell und inhaltlich auf dem Rh ton beruht einer griechischen Version jenes Regelwerkes das sp ter in Europa als Corpus Iuris Civilis Verbreitung fand Inspiriert durch die byzantinische Reichsrechtsidee kodifizierten muslimische Staatsjuristen in Bagdad das islamische Reichsrecht das aber angesichts der Opposition frommer berlieferer durch Traditionen legitimiert werden musste Nachdem sich das Reichsrecht in weiten Teilen des Kalifats etabliert hatte bewirkte der revolution re Triumph der Orthodoxie Mitte des 9 Jahrhunderts dessen bergang in ein Juristenrecht das nun in den H nden unabh ngiger Gelehrter lag

Narratives of Arab Secularism Youssef M. Choueiri, 2022-11-16 This book offers a new interpretation of the rich narratives of Arab secularism contending that secularism as a set of ideas and a social movement is destined to loom large on the political and legal horizon of most Arab states Youssef M Choueiri provides a study of three moments in the development of secularism in the Arab World the Machiavellian the Alfierian and the Gramscian It is within such a scope that secularism in its interaction with state building projects women s emancipation and religion is treated as an intellectual current and a discursive entity embedded in the political process of its diverse societies Through the chapters Choueiri demonstrates how secularism occupies a pivotal presence in the religious and political life of the Arab world exploring such interrelated configurations as indigenous contributions diverse reforms and the impact of Western states He concludes that secularism has become a moral prerequisite and a required vehicle in creating the necessary conditions for the success of democracy in the Middle East *Narratives of Arab Secularism* tackles the complexity and contemporary ramifications of the subject in a way that no previous single study has been able to It will be relevant to both students and academics dealing with topics related to the Middle East including religion politics anthropology and history Chapter 6 of this book is freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4.0 license

Muslim Identities Aaron Hughes, 2013-04-23 This well rounded introduction takes an expansive view of Islamic ideology culture and tradition sourcing a range of historical sociological and literary perspectives

Muslims Andrew Rippin, Associate Professor of Religious Studies Andrew Rippin, 2014-04-08 This concise and authoritative guide provides a complete survey of Islamic history and thought from its formative period to the present day It examines the unique elements which have combined to form Islam in particular the Qu ran and the influence of Muhammad and traces the ways in which these sources have interacted historically to create Muslim theology and law as well as the alternative visions of Islam found in Shi ism and Sufism Combining core source materials with coverage of current scholarship and of recent events in the Islamic world Andrew Rippin introduces this hugely diverse and widespread religion in a succinct challenging and refreshing way Using a distinctive critical approach which promotes engagement with key issues from fundamentalism and women s rights to problems of identity and modernity it is ideal for students seeking to understand Muslims and their faith The improved and expanded third edition now contains brand new sections on twenty

first century developments from the Taliban to Jihad and Al Qaeda and includes updated references throughout **Maqasid Al-shariah as Philosophy of Islamic Law** Jasser Auda, 2008-01-01 In this path breaking study Jasser Auda presents a systems approach to the philosophy and juridical theory of Islamic law based on its purposes intents and higher objectives maqasid For Islamic rulings to fulfill their original purposes of justice freedom rights common good and tolerance in today s context Auda presents maqasid as the heart and the very philosophy of Islamic law He also introduces a novel method for analysis and critique one that utilizes relevant features from systems theory such as wholeness multidimensionality openness and especially purposefulness of systems This book will benefit all those interested in the relationship between Islam and a wide variety of subjects such as philosophy of law morality human rights interfaith commonality civil society integration development feminism modernism postmodernism systems theory and culture *Islamic Law, Tribal Customary Law and Waqf* Aharon Layish, 2023-10-30 In this collected volume Aharon Layish demonstrates that legal documents are an essential source for legal and social history Since the late nineteenth century Islamic law has undergone tremendous transformations some of which have strongly affected the basic features of its nature The changes include the transformation of Islamic law from a jurists law to a statutory law the abolishment of waqf the Islamization of tribal customary law the creation of Sudanese legal methodologies strongly inspired by f and Salaf traditions or Western law and the emergence of an Israeli version of Islamic law Law, Custom, and Statute in the Muslim World Rôn Šaham, 2007 This collective volume deals with the main components in the laws of Islamic societies past and present sharia custom and statute Covers a wide range of geographical areas from the Balkans to Yemen and from Iraq to the Maghrib Back cover

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