

Islamic Law

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Intent In Islamic Law

**Rumee Ahmed, Idris Nassery, Muna
Tatari**



Intent In Islamic Law:

Intent in Islamic Law Paul Powers, 2005-12-01 This book explores the nature and role of intent in pre modern Islamic legal rule books including ritual commercial family and penal law It argues that Muslim jurists treat intent as a definitive element of many actions regulated by the Shari a and they employ a variety of means and terms to assess and categorize subjective states Through detailed analyses of medieval Islamic texts aided by Western philosophical examinations of intent the author presents technically detailed yet lucid arguments about Islamic religious ritual and spirituality the ethics of business transactions the role of the inner self in crime and punishment and Muslim understandings of agency and language This is the first extensive exploration of the crucial legal issue of intent in all major areas of Islamic substantive law

Intent in Islamic Law Paul R. Powers, 2006 This is the first broad study of the treatment of intent in Islamic law examining ritual commercial family and penal law and providing new insights into Muslim understandings of law religious ritual action agency and language

Towards Realization of the Higher Intent of Islamic Law Gamal Eldin Attia, 2007-01-01 This book takes an important step towards the realization of the higher intents of the Islamic law First it opens the door towards the integration of contemporary values and worldview into the maqasid terminology This is carried out via the sections on the role of reason and experience in identifying maqasid Secondly the book gives answers to the complex theoretical questions on the role of maqasid in ijihad juristic theorization usul and the Islamization of the human social and physical sciences Last but not least the book highlights the role and the necessity of a maqasid informed mindset on the intellectual and communal levels and takes a pioneering futuristic look into this very important branch of Islamic knowledge Maqasid al Shariah Higher Intent of the Islamic Law is the most promising tool for the contemporization of Islamic law and its philosophical foundations It is also as this book reveals a promising tool for the realization of Islamic values and principles in the realms of judiciary society and even science

The Objectives of Islamic Law Rumea Ahmed, Idris Nassery, Muna Tatari, 2020-07-06 Scholars thinkers and activists around the world are paying increasing attention to a legal reform method that promises to revolutionize the way people think about Islamic law Known as The Objectives of the Shari a maqa id al shari a the theory offers a way to derive and apply new Islamic laws using an ancient methodology The theory identifies core objectives that underlie Islamic law and then looks at inherited Islamic laws to see whether they meet those objectives According to the maqa id theory historical Islamic laws that meet their objectives should be retained and those that do not no matter how entrenched in practice or embedded in texts should be discarded or reformed Recently several scholars have questioned the maqa id theory arguing that it is designed not to reform laws but to support existing power structures They warn that adopting the maqa id wholesale would set the reform project back ensuring that inherited Islamic laws are never fully reformed to agree with contemporary values like gender egalitarianism and universal human rights The Objectives of Islamic Law The Promises and Challenges of the Maqa id al Shari a captures the ongoing debate between proponents and skeptics of

the maqā'id theory. It raises some of the most important issues in Islamic legal debates today and lays out visions for the future of Islamic law.

Imam Al-Shatibi's Theory of the Higher Objectives and Intents of Islamic Law Ahmad Al-Raysuni, 2005-01-01 With the end of the early Islamic period Muslim scholars came to sense that a rift had begun to emerge between the teachings and principles of Islam and Muslims' daily reality and practices. The most important means by which scholars sought to restore the intimate contact between Muslims and the Qur'an was to study the objectives of Islam, the causes behind Islamic legal rulings and the intentions and goals underlying the Shari'ah or Islamic Law. They made it clear that every legal ruling in Islam has a function which it performs, an aim which it realizes, a cause, be it explicit or implicit, and an intention which it seeks to fulfill, and all of this in order to realize benefit to human beings or to ward off harm or corruption. They showed how these intentions and higher objectives might at times be contained explicitly in the texts of the Qur'an and the Sunnah while at other times scholars might bring them to light by means of independent reasoning based on their understanding of the Qur'an and the Sunnah within a framework of time and space. This book represents a pioneering contribution, presenting a comprehensive theory of the objectives of Islamic law in its various aspects as well as a painstaking study of objectives based thought as pioneered by the father of objectives-based jurisprudence, Imam Abu Ishaq al-Shatibi. In addition, the author presents us with an important study of al-Shatibi himself which offers a wealth of new beneficial information about the life, thought, and method of this venerable man.

The Rome Statute and Islamic Law Majed Handi Alsolami, 2024-09-16 This book examines in depth the degree of compatibility and incompatibility between the general principles and jurisdiction of Islamic law and international criminal law, the Rome Statute. It discusses the controversy related to the non-ratification of the Rome Statute by some Islamic and Arab countries. The author analyses arguments that maintain that Islamic law cannot be compatible with international criminal law and makes it clear that there are no fundamental differences between the principles of Islamic law and the principles of international criminal law. The book considers Saudi Arabia as a case for reference.

Doubt in Islamic Law Intisar A. Rabb, 2014-12-31 This book considers an important and largely neglected area of Islamic law by exploring how medieval Muslim jurists resolved criminal cases that could not be proven beyond a doubt, calling into question a controversial popular notion about Islamic law today which is that Islamic law is a divine legal tradition that has little room for discretion or doubt, particularly in Islamic criminal law. Despite its contemporary popularity, that notion turns out to have been far outside the mainstream of Islamic law for most of its history. Instead of rejecting doubt, medieval Muslim scholars largely embraced it. In fact, they used doubt to enlarge their own power and to construct Islamic criminal law itself. Through examination of legal, historical, and theological sources and a range of illustrative case studies, this book shows that Muslim jurists developed a highly sophisticated and regulated system for dealing with Islam's unique concept of doubt, which evolved from the seventh to the sixteenth century.

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Congress. Subject Cataloging Division, Library of Congress. Office for Subject Cataloging Policy, 2013 Library of Congress Subject Headings Library of Congress. Cataloging Policy and Support Office, 2007 **Crime and Punishment in Islamic Law** Rudolph Peters, 2005 This book first published in 2006 is an account of the theory and practice of Islamic criminal law

Religious and Spiritual Practices in India Kamlesh Singh, Gaurav Saxena, 2023-07-31 This book explores the positive psychological aspects of religion and spirituality in the Indian context It discusses the concepts and practices of Hinduism Islam Buddhism Christianity Jainism and Sikhism and their impact on overall well being As the global enthusiasm for Indian spirituality grows this book brings together scholars to share their perspectives and reflections on various religious aspects The chapters offer readers a psychological capsule of mental health well being compassion kindness character strength mind body relationship and mindfulness providing practical strategies for a better quality of life Furthermore this book offers insights into the different perspectives of happiness and well being measured across diverse demographics It also provides a qualitative conceptualization of happiness among older people reflections on positive aging and highlights the facilitators and inhibitors of happiness With its comprehensive coverage and multidisciplinary approach this book serves as a valuable reference for postgraduate and doctoral students of Psychology as well as a treasure trove in the libraries for researchers and faculties associated with spiritual psychology positive psychology religious studies comparative literature mental health professionals academicians and anyone interested in allied health fields **Islam, Islamic Law, and the Turn to Violence** Sam S. Souryal, 2004 *The Spirit of Islamic Law* Bernard G. Weiss, 2006 Focuses on a Muslim legal science known in Arabic as *usul al fiqh* Whereas the kindred science of *fiqh* is concerned with the articulation of actual rules of law this science attempts to elaborate the theoretical and methodological foundations of the law It outlines the features of Muslim juristic thought *Medieval Legal and Political Thought* Larry May, 2021-12-13 Medieval legal and political thought encompasses the period from approximately 500 CE to 1500 CE The term Medieval refers to the legal and political thought from the time of the late Roman Empire to that of the Renaissance The legal and political thought of the Middle Ages is overwhelmingly characterized by the increasing role that religion played in influencing politics and law By the high Middle Ages we find the great theorists Averroes Maimonides and Aquinas linking law to their respective religions of Islam Judaism and Christianity This book argues that the so called Dark Ages had very significant ideas about the law especially how violence is to be contained which make this early Medieval period anything but Dark It suggests that the Christianization and Islamization of legal and political thought created almost as many problems as solutions to the increasingly diverse times that arose in the middle of the Middle Ages The book also shows that the late Middle Ages already held many of the most important legal and political ideas of the Renaissance showing that there was no clear break from the Medieval to the Modern periods of legal and political thought Of central importance is the way that the development of the idea of conscience made the natural law theories of the Medieval times a robust set of ideas that is still felt quite strongly today Islamic Jurisprudence, Islamic

Law, and Modernity Mohammad H. Fadel, 2023-08-01 Mohammad Fadel's scholarship on Islamic law and legal history ranges from medieval institutions and the history of Islamic legal interpretation to urgent problems relating to the modern reception and re-assessment of Islamic legal doctrine. Fadel's intellectual concerns focus primarily on the compatibility of the Islamic legal tradition with modern liberal political arrangements but in his research and writing he also delves into the realm of premodern Islamic legal thought and institutions. His Rawlsian approach leads him to a political reading of the Islamic legal tradition which he accomplishes by teasing out jurists' assumptions about politics, economics and the domestic sphere. Fadel's readings of Islamic legal sources suggest that Islamic law remains relevant to a society in which legitimate disagreements over law and morality seem intractable. At the same time, from the Rawlsian perspective he adopts, Fadel reminds us that premodern Muslim jurists formulated Islamic law also under conditions of substantial controversy over matters of law and morality as well as over questions of religion, politics, theology and metaphysics. The studies gathered together in this volume adroitly illustrate Fadel's interest in Islamic law as a domain of Islamic political thought and as a framework that might be deployed in today's pluralistic and secularized societies.

God's Property Nada Moumtaz, 2021-08-10 Waqf: a non-definition, State law and the Muslim community. The intent of charity, Charity and the family. The Waqf's benefit and public benefit. Conclusion. Appendix A: Main Ottoman Mut'as and their main commentaries and glosses. Appendix B: Umari mosque expenditures and appointments.

Land, Law and Islam Hilary Lim, 2008-02-29 In this pioneering work, Siraj Sait and Hilary Lim address Islamic property and land rights drawing on a range of socio-historical, classical and contemporary resources. They address the significance of Islamic theories of property and Islamic land tenure regimes on the webs of tenure prevalent in the Muslim societies. They consider the possibility of using Islamic legal and human rights systems for the development of inclusive, pro-poor approaches to land rights. They also focus on Muslim women's rights to property and inheritance systems. Engaging with institutions such as the Islamic endowment waqf and principles of Islamic microfinance, they test the workability of authentic Islamic proposals. Located in human rights as well as Islamic debates, this study offers a well-researched and constructive appraisal of property and land rights in the Muslim world.

A Continuity of Shari'a Brian Wright, 2023-03-07 A challenge to the end of the shari'a thesis in Islamic legal historiography. In the second half of the nineteenth century, states across the Muslim World developed new criminal codes and reshaped their legal landscapes, laying the foundations of the systems that continue to inform the application of justice today. Influenced by colonialism and the rise of the modern state's desire to control its populations, many have seen the introduction of these codes as a pivotal shift and divergence from the shari'a, the dominant paradigm in premodern Muslim jurisdictions. In *A Continuity of Shari'a*, Brian Wright challenges this view, comparing among the Egyptian, Ottoman and Indian contexts. By examining the environment in which the new codes were created, highlighting the work of local scholars and legal actors, and examining the content of the codes themselves, Wright argues that the criminal systems of the late nineteenth century have more connections to their past.

than is previously understood Colonial influence was adapted to local circumstances and synthesized with premodern understandings in an eclectic legal environment to create solutions to local problems while maintaining a continuity with the shari'a This book will be of interest to scholars and students of Islamic Studies Islamic Law and Islamic Legal History

Islam, Law, and Equality in Indonesia John R. Bowen, 2003-05-29 This book looks at how Muslims in Indonesia struggle to reconcile radically different sets of social norms and laws

Intent In Islamic Law Book Review: Unveiling the Power of Words

In a world driven by information and connectivity, the energy of words has been much more evident than ever. They have the capability to inspire, provoke, and ignite change. Such could be the essence of the book **Intent In Islamic Law**, a literary masterpiece that delves deep to the significance of words and their affect our lives. Written by a renowned author, this captivating work takes readers on a transformative journey, unraveling the secrets and potential behind every word. In this review, we will explore the book's key themes, examine its writing style, and analyze its overall impact on readers.

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