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### ISLAMIC INTERNATIONAL LAW

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### HISTORICAL FOUNDATIONS AND AL-SHAYBANI'S SIYAR

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Edward Elgar Publishing Through the analysis of Al-Shaybani's most prolific work *As-Siyar Al Kabier*, this book offers a unique insight into the classic Islamic perspective on international law. Despite being recognised as one of the earliest contributors to the field of international law, there has been little written, in English, on Al-Shaybani's work; this book will go some way towards filling the lacuna. International Islamic Law examines Al-Shaybani's work alongside that of other leading scholars such as: Augustine, Gratian, Aquinas, Vitoria and Grotius, proving a full picture of early thinking on international law. Individual chapters provide discussion on Al-Shaybani's writing in relation to war, peace, the consequences of war and diplomatic missions. Khaled Ramadan Bashir uses contemporary international law vocabulary to enable the reader to consider Al-Shaybani's writing in a modern context. This book will be a useful and unique resource for scholars in the field of Islamic International Law, bringing together and translating a number of historical sources to form one accessible and coherent text. Scholars researching the historical and jurisprudential origins of public international law topics, such as: international humanitarian law, 'just war', international dispute resolution, asylum and diplomacy will also find the book to be an interesting and valuable text.

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### CONFLICTS AND TENSIONS IN ISLAMIC JURISPRUDENCE

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Chicago: The University of Chicago Press 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 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.

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### STATE LAW AS ISLAMIC LAW IN MODERN EGYPT

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### THE INCORPORATION OF THE SHARĪ'A INTO EGYPTIAN CONSTITUTIONAL LAW

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BRILL This volume explores the recent decision by Egypt to constitutionalize sharī'a and analyzes the Egyptian judiciary's attempts to argue that sharī'a is consistent with human rights. It will interest anyone studying Islamic law, constitutional thought in the Middle East, or Islam and human rights.

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### JUDGING IN THE ISLAMIC, JEWISH AND ZOROASTRIAN LEGAL TRADITIONS

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### A COMPARISON OF THEORY AND PRACTICE

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Routledge This book presents a comparative analysis of the judiciary in the Islamic, Jewish and Zoroastrian legal systems. It compares postulations of legal theory to legal practice in order to show that social practice can diverge significantly from religious and legal principles. It thus provides a greater understanding of the real functions of religion in these legal systems, regardless of the dogmatic positions of the religions themselves. The judiciary is the focus of the study as it is the judge who is obliged to administer to legal texts while having to consider social realities being sometimes at variance with religious ethics and legal rules deriving from them. This book fills a gap in the literature examining Islamic, Jewish and Zoroastrian law and as such will open new possibilities for further studies in the field of comparative law. It will be a valuable resource for those working in the areas of comparative law, law and religion, law and society, and legal anthropology.

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### ISLAM, CONSTITUTIONAL LAW AND HUMAN RIGHTS

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### SEXUAL MINORITIES AND FREETHINKERS IN EGYPT AND TUNISIA

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Routledge This book focuses on Islamic constitutionalism, and in particular on the relation between religion and the protection of individual liberties potentially clashing with sharīca and the Islamic ethos. The analysis goes from general to particular, starting with a theoretical overview on constitutionalism, human rights and Islam, moving to the assessment of the post-Arab Spring Constitutions of Egypt and Tunisia, and concluding with a specific focus on the rights of sexual minorities and freethinkers. Part I provides a theoretical account of the conception of constitutionalism and human rights in Islam, compared and contrasted with Western constitutionalism. A set of issues where the tension between sharīca and human rights is accentuated is analysed against the backdrop of the main Islamic charters of rights. Part II conducts a similar assessment based on the Constitutions of Tunisia and Egypt – the two main epicentres of the Arab Spring. Part III moves to two specific rights in the same countries, from the twofold perspective of the Constitutions and international law: the freedom from interference in one's intimate life, with particular regard to homosexuality; and the freedom of holding and expressing nonconventional beliefs, deemed unacceptable from the point of view of traditional Islam. These issues have been chosen as representative of the most controversial, still considered taboo in both legal and social terms, hence at the fringes of the debate on individual freedoms. Focusing on two overlooked and underexplored issues, the work thus pushes the boundaries of the human rights discourse in Muslim contexts.

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### CONSTITUTIONALISM, HUMAN RIGHTS, AND ISLAM AFTER THE ARAB SPRING

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Oxford University Press Constitutionalism, Human Rights, and Islam after the Arab Spring offers a comprehensive analysis of the impact that new and draft constitutions and amendments - such as those in Jordan, Morocco, Syria, Egypt, and Tunisia - have had on the transformative processes that drive constitutionalism in Arab countries. This book aims to identify and analyze the key issues facing constitutional law and democratic development in Islamic states, and offers an in-depth examination of the relevance of the transformation processes for the development and future of constitutionalism in Arab countries. Using an encompassing and multi-faceted approach, this book explores underlying trends and currents that have been pivotal to the Arab Spring, while identifying and providing a forward looking view of constitution making in the Arab world.

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### IN THE SHADOW OF THE PROPHET

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### THE STRUGGLE FOR THE SOUL OF ISLAM

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Doubleday Explores the political, cultural, and religious struggle that exists today between fundamentalist and conservative Islamic sects and its consequences for the West

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## CRIMINAL LAW AND THE RIGHTS OF THE CHILD IN MUSLIM STATES

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### A COMPARATIVE AND ANALYTICAL PERSPECTIVE

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BIICL By analyzing legislative and judicial actions in a selection of Muslim and non-Muslim States in relation to the rights of the child in criminal matters, this book identifies the possible harmonization between the obligations of international human rights law (e.g. the UN Convention on the Rights of the Child [UNCRC]) and the criminal justice systems within each State, particularly Islamic law (Sharia). The book features introductory chapters on child offenders in criminal law and Islamic law, and country reports (from rapporteurs) on Afghanistan, Egypt, Lebanon, Iran, Malaysia, Nigeria, Pakistan, Spain, Turkey, the United Arab Emirates, as well as the UK. Among other issues, the book discusses: the definition of 'child' in criminal law \* the rights for child offenders under international law (UNCRC, the Beijing Rules, etc.) \* the rights of the child under Islamic regional instruments \* Islamic law, as it relates to child offenders \* the age of criminal liability \* the death penalty \* the role of the judiciary in criminal cases within Muslim jurisdictions. Theoretical and comparative research methods highlight that the position of Islamic law on the age of criminal liability and the legal rights of child offenders is nuanced, both through the way various ways Islamic criminal law is implemented and the role of the judiciary in expanding the protection of juvenile offenders.

### ISLAM AND INTERNATIONAL CRIMINAL LAW AND JUSTICE

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Torkel Opsahl Academic EPublisher This book explores a broad range of issues on Islam and international criminal law and justice. Ten authors shed detailed light on the relationship between Islam, Islamic law and Islamic thought and international criminal law.

### LAW AND IDENTITY IN MANDATE PALESTINE

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Univ of North Carolina Press One of the major questions facing the world today is the role of law in shaping identity and in balancing tradition with modernity. In an arid corner of the Mediterranean region in the first decades of the twentieth century, Mandate Palestine was confront

### ISLAMIC LAW AND THE LEGAL SYSTEM OF SAUDI

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#### STUDIES OF SAUDI ARABIA

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BRILL This volume offers an examination of the legal system of Saudi Arabia, not only for its own sake but also as a case study for insight into past and present Islamic legal systems.

### ETHNICITY, LAW, AND HUMAN RIGHTS

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#### THE ENGLISH EXPERIENCE

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Oxford University Press, USA PART I: GENERAL SURVEY

### ISLAMIC LAW AND HUMAN RIGHTS

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#### THE MUSLIM BROTHERHOOD IN EGYPT

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Cambridge Scholars Publishing This book explores the development of the Muslim Brotherhood's thinking on Islamic law and human rights, and argues that the Muslim Brotherhood has exacerbated, rather than solved, tensions between the two in Egypt. The organisation and its scholars have drawn on hard-line juristic opinions and reinvented certain concepts from Islamic traditions in ways that limit the scope of various human rights, and advocate for Islamic alternatives to international human rights. The Muslim Brotherhood's practices in opposition and in power have been consistent with its literature. As an opposition party, it embraced human rights language in its struggle against an authoritarian regime, but advocated for broad restrictions on certain rights. However, its recent and short-lived experience in power provides evidence of its inclination to reinforce restrictions on religious freedom, freedom of expression and association, and the rights of religious minorities, and to reverse previous reforms related to women's rights. The book concludes that the peaceful management of political and religious diversity in society cannot be realised under the Muslim Brotherhood's model of a Shari'a state. The study advocates for the drastic reformation of traditional Islamic law and state impartiality towards religion, as an alternative to the development of a Shari'a state or exclusionary secularism. This transformation is, however, contingent upon significant long-term political and socio-cultural change, and it is clear that successfully expanding human rights protection in Egypt requires not the exclusion of Islamists, but their transformation. Islamists still have a large constituency and they are not the only actors who are ambivalent about human rights. Meanwhile, Islamic law also appears to continue to influence Egypt's law. The book explores the prospects for certain constitutional and institutional measures to facilitate an evolutionary interpretation of Islamic law, provide a baseline of human rights and gradually integrate international human rights into Egyptian law.

### INTERNATIONAL LAW AND ISLAM

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BRILL International Law and Islam: Historical Explorations offers a unique opportunity to examine the Islamic contribution to the development of International Law in a historical perspective.

### ISLAMIC LEGAL REVIVAL

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#### RECEPTION OF EUROPEAN LAW AND TRANSFORMATIONS IN ISLAMIC LEGAL THOUGHT IN EGYPT, 1875-1952

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Oxford University Press In this meticulously researched volume, Leonard Wood presents his ground breaking history of Islamic revivalist thought in Islamic law. Islamic Legal Revival: Reception of European Law and Transformations in Islamic Legal Thought in Egypt, 1879-1952 brings to life the tumultuous history of colonial interventions in Islamic legal consciousness during the nineteenth and early twentieth centuries. It tells the story of the rapid displacement of local Egyptian and Islamic law by transplanted European codes and details the evolution of resultant movements to revive Islamic law. Islamic legal revivalist movements strove to develop a modern version of Islamic law that could be codified and would replace newly imposed European laws. Wood explains in unparalleled depth and with nuance how cutting-edge trends in European legal scholarship inspired influential revivalists and informed their methods in legal thought. Timely and provocative, Islamic Legal Revival tells of the rich achievements of legal experts in Egypt who disrupted tradition in Islamic jurisprudence and created new approaches to Islamic law that were distinctively responsive to demands of the contemporary world. The story told bears important implications for understandings of Egyptian history, Islamic legal history, comparative law, and deeply contested and highly transformative interactions between European and Islamic thought.

### MODERN PERSPECTIVES ON ISLAMIC LAW

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Edward Elgar Publishing 'This book presents an invaluable contribution to the debate on the compatibility of Islam and modernity. It is full of arguments and examples showing how Islam can be understood in line with modern life, human rights, democracy, the rule of law, civil society and pluralism. The three authors come from different countries, represent different gender perspectives and have a Shia, a Sunni and a non-Muslim background respectively which makes the book a unique source of information and inspiration.' Irmgard Marboe, University of Vienna, Austria This well-informed book explains, reflects on and analyses Islamic law, not only in the classical legal tradition of Sharia, but also its modern, contemporary context. The book explores the role of Islamic law in secular Western nations and reflects on the legal system of Islam in its classical context as applied in its traditional homeland of the Middle East and also in South East Asia. Written by three leading scholars from three different backgrounds: a Muslim in the Sunni tradition, a Muslim in the Shia tradition, and a non-Muslim woman the book is not only unique, but also enriched by differing insights into Islamic law. Sir William Blair provides the foreword to a book which acknowledges that Islam continues to play a vital role not just in the Middle East but across the wider world, the discussion on which the authors embark is a crucial one. The book starts with an analysis of the nature of Islamic law, its concepts, meaning and sources, as well as its development in different stages of Islamic history. This is followed by accounts of how Islamic law is being practised today. Key modern institutions are discussed, such as the parliament, judiciary, dar al-ifta, political parties, and other important organizations. It continues by analysing some key concepts in our modern times: nation-state, citizenship, ummah, dhimmah (recognition of the status of certain non-Muslims in Islamic states), and the rule of law. The book investigates how in recent times, more and more fatwas are issued collectively rather than emanating from an individual scholar. The authors then evaluate how Islamic law deals with family matters, economics, crime, property and alternative dispute resolution. Lastly, the book revisits certain contemporary issues of debate in Islamic law such as the burqa, halal food, riba (interest) and

apostasy. Modern Perspectives on Islamic Law will become a standard scholarly text on Islamic law. Its wide-ranging coverage will appeal to researchers and students of Islamic law, or Islamic studies in general. Legal practitioners will also be interested in the comparative aspects of Islamic law presented in this book.

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### ISLAMIC LAW OF THE SEA

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### FREEDOM OF NAVIGATION AND PASSAGE RIGHTS IN ISLAMIC THOUGHT

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Cambridge University Press This pioneering research brings into focus the Islamic contribution and influence in the development of the modern law of the sea.

### LIBRARY OF CONGRESS SUBJECT HEADINGS

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### RELIGIOUS LEGAL TRADITIONS, INTERNATIONAL HUMAN RIGHTS LAW AND MUSLIM STATES

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BRILL Considering the subject of Islam and Human Rights, the book tackles three areas that have been largely ignored in literature. It undertakes a comparative study of the laws of several Muslim States with respect to religious freedom, minorities and the rights of the child.

### ISLAMIC VALUES IN THE UNITED STATES

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### A COMPARATIVE STUDY

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Oxford University Press, USA The religion of Islam is now an American phenomenon. Once thought to be primarily a way of life of the Arabs and a faith alien to the Judeo-Christian heritage of this country, it has grown to a sufficient size and must be counted as one of the prominent and rapidly-growing religious movements in America. This ethnography of immigrant Muslims considers five Northeastern communities in detail. The investigation, including numerous interviews with members of these communities, provides a highly personalized look at what it means to be a believing, practicing Muslim in America at a time when Islam is under the critical scrutiny of international news. The authors describe the institutions and leadership of American Islam, Muslim law and its applications in the American context, examining the kinds of problems that beset Muslims trying to observe the elements of their faith in a potentially difficult environment. The intimations of family life and the roles and relationships of men and women are thoroughly detailed as well.

### THE SUNNA AND ITS STATUS IN ISLAMIC LAW

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### THE SEARCH FOR A SOUND HADITH

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Springer This volume provides an overview of the nature and scope of the concept of Sunna both in pre-modern and modern Islamic discussions. The main focus is on shedding more light on the context in which the term Sunna in the major works of Islamic law and legal theory across all of the major madhahib was employed during the first six centuries Hijri.

### "OFF THE STRAIGHT PATH"

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### ILLCIT SEX, LAW, AND COMMUNITY IN OTTOMAN ALEPPO

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Syracuse University Press The legal treatment of sexual behavior is a subject that receives little scholarly attention in the field of Middle East women's studies. Important questions about the relationship between sexuality and the law and about the societies enforcing that relationship are rarely addressed in the current literature. Elyse Semerdjian's "Off the Straight Path" takes a bold step toward filling that gap by offering a fascinating look at the historical progression of the treatment of illicit sex under Islamic law. Semerdjian provides a comprehensive review of the concept of zina, i.e., sexual indiscretion, by exploring the diverse interpretation of zina crime as presented in a variety of sources from the Qur'an and hadith to legal literature. She then delves into the history of legal responses to zina within the specific community of Aleppo, Syria. Drawing on a wealth of shari'a court records, Semerdjian provides a realistic view of Syrian society during the Ottoman period. With vivid detail, she describes specific women's lives and experiences as their cases are presented before the court. Semerdjian argues that the actual treatment of zina crimes in the courts differs substantially from sentences prescribed by codified Islamic jurisprudence. In contrast to the violent corporal punishments dictated in the Islamic legal code, the courts often punished crimes of sexual indiscretion with nonviolent sentences, such as removal from the community. Employing exceptional insight, "Off the Straight Path" presents a powerful challenge to the traditional view of Islamic law, enabling a richer understanding of Islamic society.

### THE ASHGATE RESEARCH COMPANION TO ISLAMIC LAW

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Routledge 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.

### WOMEN, ISLAM AND INTERNATIONAL LAW

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### WITHIN THE CONTEXT OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

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BRILL 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.

### THE ARAB CONQUEST OF THE WESTERN SAHARA

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### STUDIES OF THE HISTORICAL EVENTS, RELIGIOUS BELIEFS AND SOCIAL CUSTOMS WHICH MADE THE REMOTEST SAHARA A PART OF THE ARAB WORLD

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Longman Publishing Group For centuries after the first Arabs passed through North Africa, the presence of Arabic culture in the western Sahara was limited to scholars and mystics. Those few who spoke Arabic and practised Islam left the traditional society largely undisturbed. Then in the Middle Ages came a small band of southern Yemeni tribesmen, who came to dominate the desert trade routes linking Africa with the Mediterranean. Their descendents, the Awlad Hassan, imposed themselves on the native Berbers and introduced a new society, religion and language. Drawing on numerous sources including travellers and historians such as Ibn Battutah and Leo Africanus, plus local historians steeped in the traditions of oral history, the author examines how the tribes of the western Sahara responded to the arrival of the Arabs, particularly during the 13th and 17th centuries. Written by renowned experts, the five books that comprise "The series of Arabic Islamic studies" feature topics on Arabic and Islamic studies. From a description of the Arabian incense trade, to a sociological study of Islam and its beliefs, this series aims to offer authoritative insights into the history, and contemporary situation, of Arabia. -- Publisher description.

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### AMERICAN JOURNAL OF ISLAMIC SOCIAL SCIENCES 69:2

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International Institute of Islamic Thought (IIIT) 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.

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### ISLAMIC LAW IN EUROPE?

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### LEGAL PLURALISM AND ITS LIMITS IN EUROPEAN FAMILY LAWS

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Routledge Cultural and religious identity and family law are inter-related in a number of ways and raise various complex issues. European legal systems have taken various approaches to meeting these challenges. This book examines this complexity and indicates areas in which conflicts may arise by analysing examples from legislation and court decisions in Germany, Switzerland, France, England and Spain. It includes questions of private international law, comments on the various degrees of consideration accorded to cultural identity within substantive family law, and remarks on models of legal pluralism and the dangers that go along with them. It concludes with an evaluation of approaches which are process-based rather than institution-based. The book will be of interest to legal professionals, family law students and scholars concerned with legal pluralism.

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### AMERICAN JOURNAL OF ISLAMIC SOCIAL SCIENCES 7:2

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International Institute of Islamic Thought (IIIT) 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.

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### ISLAM, EUROPE AND EMERGING LEGAL ISSUES

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Routledge Islam, Europe and Emerging Legal Issues brings together vital analysis of the challenges that Europe poses for an expanding Islam and that Islam poses for Europe, within their ever-evolving religious, legal, and social environments. This book gathers some of the best thinking on Islam and the law affecting current and contested issues that can no longer be ignored, particularly as they have found their way before the European Court of Human Rights. Contributors include leading authorities who are working at the heart of this generation's law and religion questions in Europe and across the world. This book outlines implications for all those who look to Europe from both within and without for models of human rights implementation and multi-cultural accommodation.

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### ISLAM AND PUBLIC LAW

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Springer "Proceedings, in part, of a conference convened by the Centre of Islamic and Middle Eastern Law, the Centre of Near and Middle Eastern Studies, and the Law Department of the School of Oriental and African Studies, University of London, jointly with the Institut du monde arabe, Paris. Conference held in London, June 1990"--Title page verso.

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### SHARIA LAW AND THE DEATH PENALTY

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### WOULD ABOLITION OF THE DEATH PENALTY BE UNFAITHFUL TO THE MESSAGE OF ISLAM?

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### GREED, CHAOS, AND GOVERNANCE

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### USING PUBLIC CHOICE TO IMPROVE PUBLIC LAW

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In this text the author presents a middle ground between those who champion public choice theory and those who disparage it. He argues that in many cases public choice theory's reach has exceeded its grasp and that in others public choice insights have not been pursued far enough.

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### LAW AND POLITICAL AUTHORITY IN SOUTH KOREA

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Routledge This book provides an analysis of South Korean constitutional history since 1948. It furnishes an overview of the cultural and political context of Korean legal institutions, and it evinces an understanding of competing theories of the Rule of Law. The author provides an account of many important institutional transformations, including detailed discussions of Korean Supreme Court cases.

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### THE PRINCETON ENCYCLOPEDIA OF ISLAMIC POLITICAL THOUGHT

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Princeton University Press "In 2012, the year 1433 of the Muslim calendar, the Islamic population throughout the world was estimated at approximately a billion and a half, representing about one-fifth of humanity. In geographical terms, Islam occupies the center of the world, stretching like a big belt across the globe from east to west."--P. vii.

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### THE SHARI'A AND ISLAMIC CRIMINAL JUSTICE IN TIME OF WAR AND PEACE

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Cambridge University Press This innovative and important book applies classical Sunni Muslim legal and religious doctrine to contemporary issues surrounding armed conflict. In doing so it shows that the shari'a and Islamic law are not only compatible with contemporary international human rights law and international humanitarian law norms, but are appropriate for use in Muslim societies. By grounding contemporary post-conflict processes and procedures in classical Muslim legal and religious doctrine, it becomes more accessible to Muslim societies who are looking for appropriate legal mechanisms to deal with the aftermath of armed conflict. This book uniquely presents a critique of the violent practices of contemporary Muslims and Muslim clerics who support these practices. It rebuts Islamophobes in the West that discredit Islam on the basis of the abhorrent practices of some Muslims, and hopes to reduce tensions between Western and Islamic civilizations by enhancing common understanding of the issues.

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### MIDDLE EAST LEGAL SYSTEMS

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Royston Publishers SCOTT (copy 1) from the John Holmes Library collection.

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**ISLAM, SECTARIANISM AND POLITICS IN SUDAN SINCE THE MAHDIYYA**

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C. HURST & CO. PUBLISHERS Why another study of Islam and politics in Sudan? The unique history of Sudan's Islamic politics suggests the answer. The revolt in 1881 was led by a Mahdi who came to renew and purify Islam. It was in effect an uprising against a corrupt Islamic regime, the largely alien Turco-Egyptian ruling elite. The Mahdiyya was therefore an anti-colonial movement, seeking to liberate Sudan from alien rule and to unify the Muslim Umma, and it later evolved into the first expression of Sudanese nationalism and statehood.

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**ISLAM IN IRAN**

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SUNY Press A scholarly and authoritative history of the emergence and growth of Islam in Iran during the early and later medieval periods. This book, by I. P. Petrushevsky, the foremost Soviet Iranologist, was originally published in Russia in 1966. After discussing the Arabian environment in which the faith of Islam arose, and the character--legal, social and doctrinal--of the new message, the author moves on to trace the peculiarly Iranian development of Islamic beliefs, the schisms which arose in its early history, and the eventual creation of a Sunni orthodoxy. Written from the Russian perspective, with Russia's long contact with Iranian and Turkish Muslim neighbors, it provides a stimulating and salutary balance to the study of the Islamic world.

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**THE LAW AS IT COULD BE**

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NYU Press The Law As It Could Be gathers Fiss's most important work on procedure, adjudication and public reason, introduced by the author and including contextual introductions for each piece—some of which are among the most cited in Twentieth Century legal studies. Fiss surveys the legal terrain between the landmark cases of *Brown v. Board of Education* and *Bush v. Gore* to reclaim the legal legacy of the Civil Rights Movement. He argues forcefully for a vision of judges as instruments of public reason and of the courts as a means of shaping society in the image of the Constitution. In building his argument, Fiss attends to topics as diverse as the use of the injunction to restructure social institutions; how law and economics have misunderstood the role of the judge; why the movement seeking alternatives to adjudication fails to serve the public interest; and why *Bush v. Gore* was not the constitutional crisis some would have us believe. In so doing, Fiss reveals a vision of adjudication that vindicates the public reason on which *Brown v. Board of Education* was founded.

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**PUBLIC SPHERE IN MUSLIM SOCIETIES, THE**

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State University of New York Press Multidisciplinary examination of the public sphere in "traditional" Muslim society.

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