# Islamic Law Epistemology And Modernity Legal Philosophy In Contemporary Iran Middle East Studies History Politics Law

Islamic StudiesIslamic LawIslamic Law, Epistemology and ModernityIslamochristianaThe Politics of Women's Rights in IranSharī'aCurrent Publications in Legal and Related FieldsConflictThe Challenge of ModernityThe Oxford Handbook of Islamic TheologyMarriage on TrialPerspectives on Islamic Law, Justice, and SocietyEarth, Empire, and Sacred TextLaw, Christianity and Modernism in Islamic SocietyIslamic Law, Epistemology and ModernityIslamic Law and the Challenges of ModernityLanguages of Change in Islamic LawThe Impossible StateThe American Journal of Islamic Social SciencesOn Historicizing EpistemologyThe Law AppliedFormations of the SecularBooks-in-Brief: Epistemological IntegrationIslam and ModernityIndian Journal of SecularismThe Islamic Roots of Democratic PluralismIran TodayContemporary Thought in the Muslim WorldReforming ModernityGuide to International Legal ResearchIslam, Modernity, and the Liminal Space BetweenPolitics, Law, and Community in Islamic ThoughtThe British National BibliographyIslam as CritiqueTransformations of TraditionIslamic LawNatural LawVisions of Sharī'aRestating OrientalismA History of Islamic Legal Theories

**Islamic Studies**

## Islamic Law

Visions of Sharīʿa offers the first broad examination of ways in which legal theory (uṣūl al-fiqh) within Twelver Shīʿī thought continues to be a forum for vibrant debates regarding the assumptions, epistemology and hermeneutics of Sharīʿa in contemporary Shīʿī thought.

## Islamic Law, Epistemology and Modernity

Reforming Modernity is a sweeping intellectual history and philosophical reflection built around the work of the Morocco-based philosopher Abdurrahman Taha, one of the most significant philosophers in the Islamic world since the colonial era. Wael B. Hallaq contends that Taha is at the forefront of forging a new, non-Western-centric philosophical tradition. He explores how Taha's philosophical project sheds light on recent intellectual currents in the Islamic world and puts forth a formidable critique of Western and Islamic modernities. Hallaq argues that Taha's project departs from—but leaves behind—the epistemological grounds in which most modern Muslim intellectuals have anchored their programs. Taha systematically rejects the modes of thought that have dominated the Muslim intellectual scene since the beginning of the twentieth century—nationalism, Marxism, secularism, political Islamism, and liberalism. Instead, he provides alternative ways of thinking, forcefully and

Page 2/23

virtuosically developing an ethical system with a view toward reforming existing modernities. Hallaq analyzes the ethical thread that runs throughout Taha's oeuvre, illuminating how Taha weaves it into a discursive engagement with the central questions that plague modernity in both the West and the Muslim world. The first introduction to Taha's ethical philosophy for Western audiences, Reforming Modernity presents his complex thought in an accessible way while engaging with it critically. Hallaq's conversation with Taha's work both proffers a cogent critique of modernity and points toward answers for its endemic and seemingly insoluble problems.

## Islamochristiana

Within the field of Islamic Studies, scientific research of Muslim theology is a comparatively young discipline. Much progress has been achieved over the past decades with respect both to discoveries of new materials and to scholarly approaches to the field. The Oxford Handbook of Islamic Theology provides a comprehensive and authoritative survey of the current state of the field. It provides a variegated picture of the state of the art and at the same time suggests new directions for future research. Part One covers the various strands of Islamic theology during the formative and early middle periods, rational as well as scripturalist. To demonstrate the continuous interaction among the various theological strands and its repercussions (during the formative and early middle period and beyond), Part Two offers a number

of case studies. These focus on specific theological issues that have developed through the dilemmatic and often polemical interactions between the different theological schools and thinkers. Part Three covers Islamic theology during the later middle and early modern periods. One of the characteristics of this period is the growing amalgamation of theology with philosophy (Peripatetic and Illuminationist) and mysticism. Part Four addresses the impact of political and social developments on theology through a number of case studies: the famous mi?na instituted by al-Ma'mun (r. 189/813-218/833) as well as the mihna to which Ibn 'Aqil (d. 769/1367) was subjected; the religious policy of the Almohads; as well as the shifting interpretations throughout history (particularly during Mamluk and Ottoman times) of the relation between Ash'arism and Maturidism that were often motivated by political motives. Part Five considers Islamic theological thought from the end of the early modern and during the modern period.

## The Politics of Women's Rights in Iran

Iran dominates the media headlines once again and has taken center stage in the U.S. and European Union strategy toward the Middle East. A more nuanced understanding of Iranian society has assumed even greater significance and urgency. Iran Today: An Encyclopedia of Life in the Islamic Republic offers crucial insight for students and the general reader into an often misunderstood and complex country that is shrouded in mystery and misperception. Heir to a long history and a great

Page 4/23

culture and civilization, Iran embodies a rich, complex, and diverse mosaic that defines its national identity.

## Sharī'a

This book is a comprehensive analysis of the major intellectual positions in the philosophical debate on Islamic law that is occuring in contemporary Iran. In light of the relationship between global modernity and the religion of Islam, the purpose is to analyze to what extent these positions and their understanding of questions of epistemology, methodology and hermeneutics are engendered by the cognitive and ontological structures of modernity. Among the pivotal figures who are considered in this respect are primarily Abdullah Jawadi-Amuli (traditionalism), Muhammad Mujtahid-Shabistari (modernism) and Abd al-Karim Surush (postmodernism), but other individuals who belong to the intellectual elite of Iran are also included.

## Current Publications in Legal and Related Fields

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.

# Conflict

# The Challenge of Modernity

This book is an examination of natural law doctrine, rooted in the classical writings of our respective three traditions: Jewish, Christian, and Islamic. Each of the authors provides an extensive essay reflecting on natural law doctrine in his tradition. Each of the authors also provides a thoughtful response to the essays of the other two authors. Readers will gain a sense for how natural law (or cognate terms) resonated with classical thinkers such as Maimonides, Origen, Augustine, al-Ghazali and numerous others. Readers will also be instructed in how the authors think that these sources can be mined for constructive reflection on natural law today. A key theme in each essay is how the particularity of the respective religious tradition is squared with the evident universality of natural law claims. The authors also explore how natural law doctrine functions in

particular traditions for reflection upon the religious other.

# The Oxford Handbook of Islamic Theology

This study analyses the major intellectual positions in the philosophical debate on Islamic law that is occurring in contemporary Iran. As the characteristic features of traditional epistemic considerations have a direct bearing on the modern development of Islamic legal thought, the contemporary positions are initially set against the established normative repertory of Islamic tradition. It is within this broad examination of a living legacy of interpretation that the context for the concretizations of traditional as well as modern Islamic learning, are enclosed.

# Marriage on Trial

This book brings together the ideas of a number of contemporary modernist and liberal Muslim thinkers, exposing an important intellectual current in Islamic thought which will be new to many Western readers. Responding to the challenges brought by colonialism and modernization, the contributors propose new conceptions and interpretations of Islam consonant with the age. Although their specific concerns and emphases vary, they all reconsider the relation between religion and politics and the incorporation of modern Western ideas.

# Perspectives on Islamic Law, Justice, and

This book investigates the development and function of the Institute of Traditional Islamic Art and Architecture (ITIAA) in Amman, Jordan. A vertical case study using grounded theory methodology, the research creates a rich and holistic understanding of the Institute. Specific areas of study include the factors involved in the founding of the Institute within the context of Arab and Jordanian higher education, the role of traditional Islamic philosophy in the function of the Institute, and the role of the anthropological concept of liminal space in the clarification of students' values during the academic program. Data for the research came from thirty hours of interviews completed with over thirty individuals, a twenty item survey completed by sixty-five students, classroom observations, and analysis of an array of documents from the League of Arab States, the Jordanian Ministry of Higher Education and Research, the Jordanian Accreditation Association, the World Islamic Science and Education University, and the Institute for Traditional Islamic Art and Architecture. In regard to the role of traditional Islamic philosophy, the study delineates how the combination of theological/philosophical commitments of founders, faculty, and students combined to create a deep and pervasive role of traditional Islamic philosophy, evidenced in classrooms, interviews, and documents. Students, faculty and staff reflected a vital commitment to Islamic understandings of education, art, and beauty. The book concludes by noting the vital importance of

such institutions as ITIAA in providing the space and means for Arab-Muslims to understand their own culture, assess others, and form new versions of Arab-Muslim culture that are viable and productive in the current age. It is noted that transnational organizations, such as the League of Arab States, could help facilitate educational diversity by fostering the development of a second level of small, traditionally focused institutions. Such institutions can reinforce traditional values, provide liminal experiences, and facilitate creation of artifacts of liminal activity, reflecting students' ability to combine modern and traditional value systems.

## Earth, Empire, and Sacred Text

Earth, Empire and Sacred Text examines the Muslim-Christian theology of creation and humanity, aiming to construct a dialogue to enable both faiths to work together to preserve our planet, to bring justice to its most needy inhabitants, and to contribute to peace-building.

## Law, Christianity and Modernism in Islamic Society

Debates over family law are a sensitive subject in the Muslim world, revealing something of the struggle between forces of traditionalism and modernism. The highly disparate tendencies within Islamic "fundamentalism" share a desire to re-institute Shar'ia law, regarded as the last bastion of the Islamic ideal of social relations. This book probes the theory

Page 9/23

and practice of Islamic family law in the contemporary Muslim world, focusing on the dynamics of marriage and the consequences of its breakdown, and the ways in which litigants manipulate the law to resolve marital and child custody disputes.

## Islamic Law, Epistemology and Modernity

The book is a program which seeks to construct an intellectual framework for Islamic methodology with a view to realizing practical training in the thoughtful investigation of issues related to knowledge in various fields. The book's title affirms the distinctive types of integration that characterize Islamic methodology, including integration of sources, means, and schools of thought, as well as existing realities with desired ideals etc. This is fully consistent with human nature, as variety is fundamental to the functions people perform and skills they master. The work essentially makes the case that fundamental to any Muslim recovery is laying the foundations of sound thinking and values that integrate the two main sources of knowledge: Revelation and Reality (that is the created worlds both physical, societal and psychological) under the umbrella of Tawhid. This concept of integration implies using both human theoretical conceptualization and practical experimental investigation whilst also affirming the need to apply human capabilities in understanding the divine text, and acquiring sound knowledge of the physical world in terms of its resources, as well as accumulated past and present human experiences. The aim being to vitalize human potential and creativity.

# Islamic Law and the Challenges of Modernity

Volume III focuses on the 'consolidation' and consequent perceived 'stagnation' of Islamic law in the medieval period alluded to in the traditional accounts of Islamic legal theory. The final volume in the collection examines Islamic law in the modern period, and the challenges of living in a modern, technologically advanced world. Supplemented with a full index, Islamic Law includes a comprehensive introduction newly written by the editor which places the collected material in its historical and intellectual context. It is certain to be valued as a vital research resource." -- Publisher description.

## Languages of Change in Islamic Law

Opening with the provocative query "what might an anthropology of the secular look like?" this book explores the concepts, practices, and political formations of secularism, with emphasis on the major historical shifts that have shaped secular sensibilities and attitudes in the modern West and the Middle East. Talal Asad proceeds to dismantle commonly held assumptions about the secular and the terrain it allegedly covers. He argues that while anthropologists have oriented themselves to the study of the "strangeness of the non-European world" and to what are seen as non-rational dimensions of social life (things like myth, taboo, and religion),the modern and the secular have not been adequately examined. The conclusion is that the secular cannot be viewed as a

Page 11/23

successor to religion, or be seen as on the side of the rational. It is a category with a multi-layered history, related to major premises of modernity, democracy, and the concept of human rights. This book will appeal to anthropologists, historians, religious studies scholars, as well as scholars working on modernity.

# The Impossible State

This book tackles the most significant issues facing Muslims today. Sachedina argues that we must reopen the doors of religious interpretation--to correct false interpretations, replace outdated laws, and formulate new doctrines. His book critically analyzes Muslim teachings on such issues as pluralism, civil society, war and peace, and violence and self-sacrifice.

# The American Journal of Islamic Social Sciences

This book examines the central aspects of modernity and the underlying factors at work in the process of modernization. It begins by examining Western modernity and then uses the insight gained from this examination to study the implications of Western modernity for non-Western societies. The author also attempts to demonstrate the inadequacy of the functional approach for understanding the process of modernization in non-Western regions.

# On Historicizing Epistemology

# The Law Applied

The published papers of a conference held on religion and conflict in Accra 2003, with particular reference to West Africa. The book is organised into sections on religion and dialogue; religion, tradition and ethnicity; human rights and religion; Islam and Christianity in post-colonial West Africa; Sharia and secular constitution; relations between state politics and religion; and educational systems and the influence of religion. The contributors come from both religious and secular perspectives, assuming a variety of positions. They variously argue for intercultural dialogue; the re-emergence of African spirituality; the conscious adoption of Africanist intellectual positions; and understanding religion as an aspect of the ethnicisation of politics. Further papers consider the possibility of the co-existence of Sharia and secular constitutions.

## Formations of the Secular

Wael B. Hallaq boldly argues that the "Islamic state," judged by any standard definition of what the modern state represents, is both impossible and inherently self-contradictory. Comparing the legal, political, moral, and constitutional histories of premodern Islam and Euro-America, he finds the adoption and practice of the modern state to be highly problematic for modern Muslims. He also critiques more expansively modernity's moral predicament, which renders impossible any project resting solely on ethical foundations. The modern state not only suffers from

Page 13/23

serious legal, political, and constitutional issues, Hallaq argues, but also, by its very nature, fashions a subject inconsistent with what it means to be, or to live as, a Muslim. By Islamic standards, the state's technologies of the self are severely lacking in moral substance, and today's Islamic state, as Hallaq shows, has done little to advance an acceptable form of genuine Shari'a governance. The Islamists' constitutional battles in Egypt and Pakistan, the Islamic legal and political failures of the Iranian Revolution, and similar disappointments underscore this fact. Nevertheless, the state remains the favored template of the Islamists and the ulama (Muslim clergymen). Providing Muslims with a path toward realizing the good life, Hallaq turns to the rich moral resources of Islamic history. Along the way, he proves political and other "crises of Islam" are not unique to the Islamic world nor to the Muslim religion. These crises are integral to the modern condition of both East and West, and by acknowledging these parallels, Muslims can engage more productively with their Western counterparts.

## Books-in-Brief: Epistemological Integration

## Islam and Modernity

This book presents an intellectual history of today's Muslim world, surveying contemporary Muslim thinking in its various manifestations, addressing a variety of themes that impact on the lives of present-

day Muslims. Focusing on the period from roughly the late 1960s to the first decade of the twenty-first century, the book is global in its approach and offers an overview of different strands of thought and trends in the development of new ideas, distinguishing between traditional, reactionary, and progressive approaches. It presents a variety of themes and issues including: The continuing relevance of the legacy of traditional Islamic learning as well as the use of reason; the centrality of the Qur'an; the spiritual concerns of contemporary Muslims; political thought regarding secularity, statehood, and governance; legal and ethical debates; related current issues like human rights, gender equality, and religious plurality; as well as globalization, ecology and the environment, bioethics, and life sciences. An alternative account of Islam and the Muslim world today, counterbalancing narratives that emphasise politics and confrontations with the West, this book is an essential resource for students and scholars of Islam.

# **Indian Journal of Secularism**

Osanloo Arzoo presents an ethnographic study that explores how conceptions of liberal entitlements fused with a discourse of equality in Islam in the post-revolutionary era to inform & shape women's perceptions of rights.

# **The Islamic Roots of Democratic Pluralism**

A sea change has taken place in Islamic legal studies. This book both reflects and contributes to that change. Traditionally, scholars in this field have tended to focus on law as a body of rules and doctrines, as 'fiqh'. This volume is more interested in how the law has been applied to concrete situations. It looks at judicial decision-making, legal responses (fatwas), customary practices, the actions of public inspectors, cultural contexts, and theological discourses as well as modern legal reform and constitutional development. Reflecting the interests of a new academic generation, "The Law Applied" offers an ambitious and textured account of how Islamic law works in practice in the social life of the contemporary world.

# Iran Today

# Contemporary Thought in the Muslim World

# Reforming Modernity

Wael Hallaq's magisterial overview of Shari'a examines the doctrines and practices of Islamic law from the seventh century to the present. In a compelling narrative, the author unravels the complexities of his subject to reveal a deep knowledge of the law which will engage and challenge both student and scholar.

# Guide to International Legal Research

Since Europeans first colonized Arab lands in the 19th century, they have been pressing to have the area's indigenous laws and legal systems accord with Western models. Although most Arab states now have national codes of law that reflect Western influence, fierce internal struggles continue over how to interpret Islamic law, particularly in the areas of gender and family. From different geographical and ideological points across the contemporary Arab world, Haddad and Stowasser demonstrate the range of views on just what Islam's legal heritage in the region should be. For either law or religion classes, Islamic Law and the Challenges of Modernity provides the broad historical overview and particular cases needed to understand this contentious issue. Visit our website for sample chapters!

## Islam, Modernity, and the Liminal Space Between

This book provides an accessible introductory discussion of issues in Islamic law, justice, and society. At the center of the volume is a discussion of some interrelated theological, historical, legal, and practical issues facing Islamic law in such different countries and regions as Algeria, Morocco, South Africa, and South Asia. This will be a valuable book for students and scholars of Middle Eastern studies, law, and history.

## Politics, Law, and Community in Islamic

# Thought

"This book is a study of the Muslim world's entanglement with colonial modernity. More specifically, it is an historical examination of the development of the long-standing, indigenous tradition of learning and praxis known as Islamic law (shari°a, fiqh) as a result of its imbalanced interaction with new European modes of knowing during, and in the immediate aftermath of, the colonial experience. Drawing upon the writings of jurist-scholars from the òHanaf åischool of law writing in Cairo, Kazan, Lucknow, Baghdad and Istanbul, Transformations of Tradition reveals several central shifts in Islamic legal writing that throw into doubt the possibility of reading its later trajectory through the lens of a continuous "tradition." By focusing especially on the work of Muòhammad Bakhåit al-Muòtåi°åi, Mufti of Egypt for a time and a leading scholar at the Azhar, Transformations shows that the colonial moment of the late nineteenth and early twentieth centuries marked a significant rupture in how Muslim jurists understood history and authority, science and technology, and religion and the secular, thereby upending the very ground upon which Islamic law had until then functioned"--

# The British National Bibliography

# Islam as Critique

# Transformations of Tradition

The book, based on references from the Qur'an and Hadith, explains the theory and interpretation of Islamic law. Combining ethics, epistemology and moral philosophy, it sets a tempo for a healthy dialogue between tradition and modernity.

## Islamic Law

Epistemology, as generally understood by philosophers of science, is rather remote from the history of science and from historical concerns in general. Rheinberger shows that, from the late nineteenth through the late twentieth century, a parallel, alternative discourse sought to come to terms with the rather fundamental experience of the thoroughgoing scientific changes brought on by the revolution in physics. Philosophers of science and historians of science alike contributed their share to what this essay describes as an ongoing quest to historicize epistemology. Historical epistemology, in this sense, is not so concerned with the knowing subject and its mental capacities. Rather, it envisages science as an ongoing cultural endeavor and tries to assess the conditions under which the sciences in all their diversity take shape and change over time.

## Natural Law

Since Edward Said's foundational work, Orientalism has been singled out for critique as the quintessential example of Western intellectuals' collaboration with

oppression. Controversies over the imbrications of knowledge and power and the complicity of Orientalism in the larger project of colonialism have been waged among generations of scholars. But has Orientalism come to stand in for all of the sins of European modernity, at the cost of neglecting the complicity of the rest of the academic disciplines? In this landmark theoretical investigation, Wael B. Hallaq reevaluates and deepens the critique of Orientalism in order to deploy it for rethinking the foundations of the modern project. Refusing to isolate or scapegoat Orientalism, Restating Orientalism extends the critique to other fields, from law, philosophy, and scientific inquiry to core ideas of academic thought such as sovereignty and the self. Hallaq traces their involvement in colonialism, mass annihilation, and systematic destruction of the natural world, interrogating and historicizing the set of causes that permitted modernity to wed knowledge to power. Restating Orientalism offers a bold rethinking of the theory of the author, the concept of sovereignty, and the place of the secular Western self in the modern project, reopening the problem of power and knowledge to an ethical critique and ultimately theorizing an exit from modernity's predicaments. A remarkably ambitious attempt to overturn the foundations of a wide range of academic disciplines while also drawing on the best they have to offer, Restating Orientalism exposes the depth of academia's lethal complicity in modern forms of capitalism, colonialism, and hegemonic power.

# Visions of Sharīʿa

This revisionist account of the history of Islamic political thought from the early to the late medieval period focuses on Ibn Taymiyya, one of the most brilliant theologians of his day. This original study demonstrates how his influence shed new light on the entire trajectory of Islamic political thought. Although he did not reject the Caliphate ideal, as is commonly believed, he nevertheless radically redefined it by turning it into a rational political institution intended to serve the community (umma). Through creative reinterpretation, he deployed the Qur'anic concept of fitra (divinely endowed human nature) to centre the community of believers and its common-sense reading of revelation as the highest epistemic authority. In this way, he subverted the elitism that had become ensconced in classical theological, legal and spiritual doctrines, and tried to revive the ethico-political, rather than strictly legal, dimension of Islam. In reassessing Ibn Taymiyya's work, this book marks a major departure from traditional interpretations of medieval Islamic thought.

## Restating Orientalism

## A History of Islamic Legal Theories

What would it mean to imagine Islam as an immanent critique of the West? Sayyid Ahmad Khan lived in a time of great tribulation for Muslim India under British rule. By examining Khan's work as a critical expression of modernity rooted in the Muslim experience of it, Islam as Critique argues that Khan is

essential to understanding the problematics of modern Islam and its relationship to the West. The book re-imagines Islam as an interpretive strategy for investigating the modern condition, and as an engaged alternative to mainstream Western thought. Using the life and work of nineteenth-century Indian Muslim polymath Khan (1817-1898), it identifies Muslims as a viable resource for both critical intervention in important ethical debates of our times and as legitimate participants in humanistic discourses that underpin a just global order. Islam as Critique locates Khan within a broader strain in modern Islamic thought that is neither a rejection of the West, nor a wholesale acceptance of it. The author calls this "Critical Islam". By bringing Khan's critical engagement with modernity into conversation with similar critical analyses of the modern by Reinhold Niebuhr, Hannah Arendt, and Alasdair MacIntyre, the author shows how Islam can be read as critique.

ROMANCE ACTION & ADVENTURE MYSTERY & THRILLER BIOGRAPHIES & HISTORY CHILDREN'S YOUNG ADULT FANTASY HISTORICAL FICTION HORROR LITERARY FICTION NON-FICTION SCIENCE FICTION