

Studies in Qur'an and *Ḥadīth*

The Formation of the
Islamic Law of Inheritance

David S. Powers

مَدَامَ الْإِجْمَاعِ فِي حَلَالِ
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Powers

Studies in Qur'an and *Ḥadīth*

Gabriel

Studies In Quran And Hadith The Formation Of The Islamic Law Of Inheritance

Anver M. Emon, Rume Ahmed



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Studies in Qur'an and Hadith David Stephan Powers,1986-01-01 **The Development of Islamic Law and Society in the Maghrib** David S. Powers,2022-02-13 The first eleven essays in this collection treat the application of Islamic law in qadi courts in the Maghrib in the period between 1100 and 1500 CE Based on preserved legal documents and the expert opinions of Muslim jurists Muftis the essays examine family law cases involving legal minority guardianship divorce inheritance bequests and endowments Cumulatively the cases bear witness to the effectiveness and efficiency of the Islamic judicial system in this period Contrary to popular perceptions the cases demonstrate that Muslim jurists placed a high value on reasoned thought and were sensitive to the manner in which law society and culture interacted with and shaped each other The final essay shows how the treatment of family endowments by colonial regimes in Algeria and India at the end of the 19th and beginning of the 20th centuries shaped or misshaped the modern western scholarly understanding of Islamic law **The Oxford Handbook of Islamic Law** Anver M. Emon,Rumee Ahmed,2018-10-25 This volume provides a comprehensive survey of the contemporary study of Islamic law and a critical analysis of its deficiencies Written by outstanding senior and emerging scholars in their fields it offers an innovative historiographical examination of the field of Islamic law and an ideal introduction to key personalities and concepts While capturing the state of contemporary Islamic legal studies by chronicling how far the field has come the Handbook also explains why certain debates recur and indicates fundamental gaps in our knowledge Each chapter presents bold new avenues for research and will help readers appreciate the contested nature of key concepts and topics in Islamic law This Handbook will be a major reference work for scholars and students of Islam and Islamic law for years to come **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 Oxford Handbook of Qur'anic Studies** ,2020-04-28 Traditionally revered as the literal word of God the Qur an serves as Islam s sacred book of revelation Accordingly its statements and pronouncements rest at the core of the beliefs and teachings that have inexorably defined expressions of the Islamic faith Indeed over the centuries engaging with and poring over the contents of the Qur an inspired an impressive range of traditional scholarship Notwithstanding its religious pre eminence the Qur an is also considered to be the matchless masterpiece of the Arabic language and its impact as a text can be discerned in all aspects of the Arabic literary tradition Presenting contributions from leading experts in the

field The Oxford Handbook of Qur'anic Studies offers an authoritative collection of chapters that guide readers through the gamut of themes subjects and debates that have dominated the academic study of the Qur'an and its literary heritage These range from chapters that explore the text's language vocabulary style and structure to detailed surveys of its contents concepts transmission literary influence historical significance commentary tradition and even the scholarship devoted to translations With the aim of serving as an indispensable reference resource the Handbook assesses the implications of research discourses and discussions shaping the study of the Qur'an today There exists no single volume devoted to such a broad review of the scholarship on the Qur'an and its rich commentary tradition

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

Patronate And Patronage in Early And Classical Islam Monique Bernards,John Abdallah Nawas,2005 This book deals with patronate and patronage wal of early and classical Islam Though Webster's Third has the term mawla the concept remains very difficult to come to grips with Fourteen contributions by renowned scholars analyze the social and cultural phenomenon of wal from various angles As a whole the book conveys what we presently know about patronate and patronage during the first four centuries of Islam Inasmuch as the contributors have used different methods from a close rereading of primary sources to the application of social theory and quantitative analysis the book additionally offers an overview of methodologies current in the field of Islamic Studies

The Birth of a Legal Institution Peter C. Hennigan,2004 This work presents an analysis of the earliest legal treatises on the Islamic trust or waqf the Ah kam al Waaf of Hilal al Ray and the Ah kam al Awqaf of al Khassaf This work undertakes a textual analysis of the treatises

The Development of Early Sunnite ḥadīth Criticism Eerik Dickinson,2021-08-04 ad th are the documents recording the words and actions of the Prophet Mu ammad Originally an enormous and amorphous corpus Muslim scholars of the third ninth century separated the ad th they regarded as true from those they held to be forgeries producing collection of ad th which still command the respect of Muslims today Ibn Ab tim al R z 240 854 327 938 was one of the most prominent exponents and practitioners of ad th criticism He left a copious written legacy including his famous Taqdima a biographical dictionary of the early ad th critics The Taqdima reveals Ibn Ab tims's vision of the critic and gives insight into the mechanism of ad th criticism It also provides a platform for the examination of the basic intellectual orientation of the ad th critics and their conflicts with their opponents

Dispensing Justice in Islam Muhammad Khalid Masud,Rudolph Peters,David Powers,2005-11-01 Dispensing Justice is designed to serve as a sourcebook of Islamic legal practice and qadi court records from the rise of Islam to modern times drawing upon court records and qadi judgments in addition to literary sources In the first chapter we survey the state of the field sketching the history structure and modern transformation of the qadiship The twenty chapters that follow are grouped thematically in four sections 1 the nature and functions of the judgeship and its

development over time 2 the structure of the judicial apparatus 3 the application of juristic thought and reasoning to specific cases in selected areas of the law and 4 judicial procedure and the different forms of evidence The volume fills a large gap in Islamic legal history Gender and Succession in Medieval and Early Modern Islam Alyssa Gabbay,2020-03-19 In Gender and Succession in Medieval and Early Modern Islam Bilateral Descent and the Legacy of Fatima Alyssa Gabbay examines episodes in pre modern Islamic history in which individuals or societies recognized descent from both men and women Fatima daughter of the Prophet Muhammad features prominently in this study for her example constituted a striking precedent for acknowledging bilateral descent in both Sunni and Shi i societies with all of its ramifications for female inheritance succession and identity Covering a broad geographical and chronological swath Gender and Succession in Medieval and Early Modern Islam presents alternative perspectives to patriarchal narratives and breaks new ground in its focus upon how people conceived of family structures and bloodlines In so doing it builds upon a tradition of studies seeking to dispel monolithic understandings of Islam and Gender **Encyclopedia of Law and Society** David S. Clark,2007-07-10 Introduction to and survey of the field of law and society Includes interdisciplinary perspectives on law from sociology criminology cultural anthropology political science social psychology and economics **Orphans of Islam** Jamila Bargach,2002-02-26 Orphans of Islam portrays the abject lives and excluded body of abandoned and bastard children in contemporary Morocco while critiquing the concept and practice of adoption which too often is considered a panacea Through a close and historically grounded reading of legal social and cultural mechanisms of one predominantly Islamic country Jamila Bargach shows how the surplus bastard body is created by mainstream society Written in part from the perspectives of the children and single mothers intermittently from the view of adopting families and employing bastardy as a haunting and empowering motif with a potentially subversive edge this ethnography is composed as an intricate open ended and arabesque like evocation of Moroccan society and its state institutions It equally challenges received sociological and anthropological tropes and understandings of the Arab world **Studies in Islamic Law and Society** ,1996 **Sacred Law in the Holy City** Judith Mendelsohn Rood,2020-11-09 The Muslim community s political and socio economic role in Jerusalem under Ottoman administration during the 1830s is analyzed in this volume from a natural law perspective A bitter political contest between Sultan Mahmud II and Muhammad Ali Pasha resulted in the military occupation of Syria and imposition of a brutal new political and legal regime which crushed the indigenous elites of southern Syria Through a careful analysis of the archives of the Islamic law court of Jerusalem the study offers a fresh appraisal of how the Ottoman Empire ruled Jerusalem and considers the Muslim response elucidating the reasons for the breakdown of their relations with non Muslim Ottoman subjects and differentiating the Ottoman understanding of law and government from that of their enemies the Wahhabis An Introduction to Islam David Waines,2003-11-06 A revised and updated edition of Waines wide ranging account of the history and theology of Islam **The Penguin Dictionary of Islam** Azim Nanji,2008-04-24 Islam today is a

truly global faith yet it remains somewhat of an enigma to many of us Each and every day our newspapers are saturated with references to Islam Quran Taliban Hijab Fatwa Allah Sunni Jihad Shia the list goes on But how much do we really understand Are we in fact misunderstanding The Penguin Dictionary of Islam provides complete impartial answers It includes extensive coverage of the historical formations of the worldwide Muslim community and highlights key modern Muslim figures and events Understanding Islam is vital to understanding our world and this text is the definitive authority designed for both general and academic readers

Women and Gender in Islam Leila Ahmed, 2021 A classic pioneering account of the lives of women in Islamic history republished for a new generation This pioneering study of the social and political lives of Muslim women has shaped a whole generation of scholarship In it Leila Ahmed explores the historical roots of contemporary debates ambitiously surveying Islamic discourse on women from Arabia during the period in which Islam was founded to Iraq during the classical age to Egypt during the modern era The book is now reissued as a Veritas paperback with a new foreword by Kecia Ali situating the text in its scholarly context and explaining its enduring influence Ahmed's book is a serious and independent minded analysis of its subject the best informed most sympathetic and reliable one that exists today Edward W Said Destined to become a classic It gives Muslim women back our rightful place at the center of our histories Rana Kabbani

The Guardian **The Kin Who Count** Margaret L. Meriwether, 2010-07-05 The history of the Middle Eastern family presents as many questions as there are currently answers Who lived together in the household Who married whom and for how long Who got a piece of the patrimonial pie These are the questions that Margaret Meriwether investigates in this groundbreaking study of family life among the upper classes of the Ottoman Empire in the pre modern and early modern period Meriwether recreates Aleppo family life over time from records kept by the Islamic religious courts that held jurisdiction over all matters of family law and property transactions From this research she asserts that the stereotype of the large patriarchal patrilineal family rarely existed in reality Instead Aleppo's notables organized their families in a great diversity of ways despite the fact that they were all members of the same social class with widely shared cultural values acting under the same system of family law She concludes that this had important implications for gender relations and demonstrates that it gave women more authority and greater autonomy than is usually acknowledged *Law, Society and Culture in the Maghrib, 1300-1500* David S. Powers, 2002-09-30 Focusing on the Maghrib in the period between 1300 and 1500 in this 2002 book David Powers analyses the application of Islamic law through the role of the mufti To unravel the sophistication of the law he considers six cases which took place in the Marinid period on subjects as diverse as paternity fornication water rights family endowments the slander of the Prophet and disinheritance The source for these disputes are fatwas issued by the muftis which the author uses to situate each case in its historical context and to interpret the principles of Islamic law In so doing he demonstrates that contrary to popular stereotypes muftis were in fact dedicated to reasoned argument and sensitive to the manner in which law society and culture interacted The book represents a groundbreaking

approach to a complex field It will be read by students of Islamic law and those interested in traditional Muslim societies

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