

FOR IMMEDIATE RELEASE

CONTACT:
Sarah Crane Newman
Tel: 650.725.0822
Fax: 650.736.1784
Email: sarahcn@stanford.edu

Shari'a

Islamic Law in the Contemporary Context

Edited by Abbas Amanat & Frank Griffel
(Published by Stanford University Press, October 2007)

Life in the Islamic world is shaped by *Shari'a*, Islamic religious law. The authors of *Shari'a: Islamic Law in the Contemporary Context* (Stanford University Press, October 2007) challenge the perception that Shari'a has been a cohesive and consistent entity throughout Muslim history and that modern applications of Shari'a merely continue classical interpretations.

Shari'a gains most of its substance from the actions and decisions of the Prophet Mohamed, as preserved in oral tradition; the rest are derived from the Qur'an. Before the 19th century, however, Shari'a was not set down into a code of law, but was rather understood "as a series of commentaries on particular practices and of commentaries upon those commentaries." When Napoleon defeated the Ottoman-Egyptian army, however, the Muslim Middle East began to adopt Western ideas of law: states implemented secular laws and courts, limiting the influence of Shari'a and creating an institutional distinction between religious and secular.

This move toward secularization provoked a backlash in the mid-20th century from groups like the Muslim Brotherhood who argued that Muslims were duty-bound to fight laws contradicting Shari'a. For the first time, these groups sought a delimited set of rules that compose *the* Shari'a, a canonized law system comparable to European codes. They created the narrowly defined texts that are identified as the Shari'a in today's Middle East." There is no question that Shari'a plays a much more important role in the minds of Muslims today" than it did before the 1950s.

This volume shows that, despite the codification of Shari'a, "like any other intellectual tradition, the Islamic one is plural and filled with discordant voice." Yūsuf al-Qaradāwī, a Sunni jurisprudent who frequently appears on al-Jazeera television, argues that Shari'a *necessitates* democracy and free speech, while the late Ayatollah Khomeini's reading of Shari'a insists on rule by imams, experts in Shari'a who are appointed by God. Suits brought by women to Yemen's Shari'a courts are successful twice as often

than those brought by men, while women are not even allowed to testify in most Saudi courts. Even the strictest modern application of Shari'a involves some amount of pick-and-choose; "both the earliest sources of Shari'a and its practice in premodern Muslim societies set few limitations on the possession of slaves, for instance. Yet no contemporary advocate of Shari'a would argue that today's Muslims should apply these rules and become slaveholders."

Shari'a provides the reader with insight into how Islamic legal thought is shaping life across the Middle East, showing how Muslims have shaped and reshaped the legal and moral teachings of Islam, both adapting them to new contexts and using them to fight change.

Stanford University Press
October 2007

Cloth price: \$45.00
ISBN: 978-0-8047-5639-6
264 pages; 31 illustrations

For media inquiries, please contact Sarah Crane Newman at 650.725.0822 or sarahcn@stanford.edu.

#