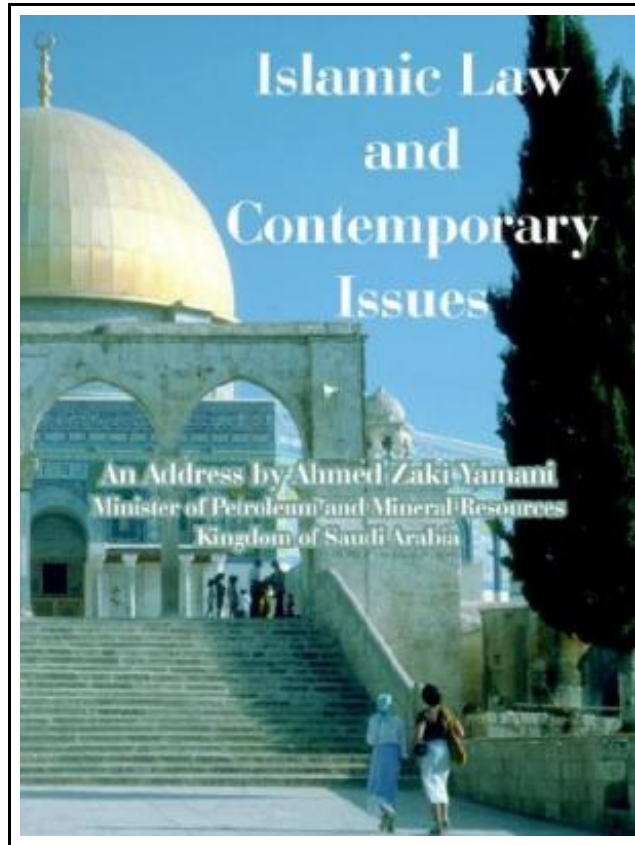


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University Press of the Pacific. Paperback. Book Condition: New. Paperback. 48 pages. Dimensions: 10.7in. x 8.0in. x 0.2in. The Islamic Sharia as a phrase has two scope of meanings. Generally and widely construed it denotes everything that has been written by Moslem jurists throughout the centuries, whether it dealt with contemporaneous issues of the time or in anticipation of future ones. The jurist derived their principles from the Quran and the Sunna (way of action and the opinions of the Prophet), and from the other sources of Sharia such as Ijma, (the consensus of the community represented by its scholars and learned men), and public interest considerations. The Sharia looked upon in this wide scope constitute a huge Juristic tradition the value of which depends on the individual jurist himself, his era, or even the particular problem confronting him. As such the system has a tremendous scholastic value to the Moslem, however, it has no binding authority; since within it one might find different, and sometimes contradictory principles resolving the same issues, depending on the Juristic school that propagated the principle. Furthermore, it cannot have a binding authority since circumstances that brought about a certain principle might not be in existence any more, and surely we cannot maintain that previous Moslem Jurists have anticipated all our existing contemporary problems. Yet, as I said before in this wide sense, one cannot deny the Sharia scholastic value as an elaborate system of deduction which should be relied upon for future derivations of principles. Construed narrowly, the Sharia is confined to the undoubted principles of the Quran, to what is true and valid of the Sunna, and the consensus of the community represented by its scholars and learned men during a certain period and regarding a particular problem, provided such consensus was possible. Viewed...

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