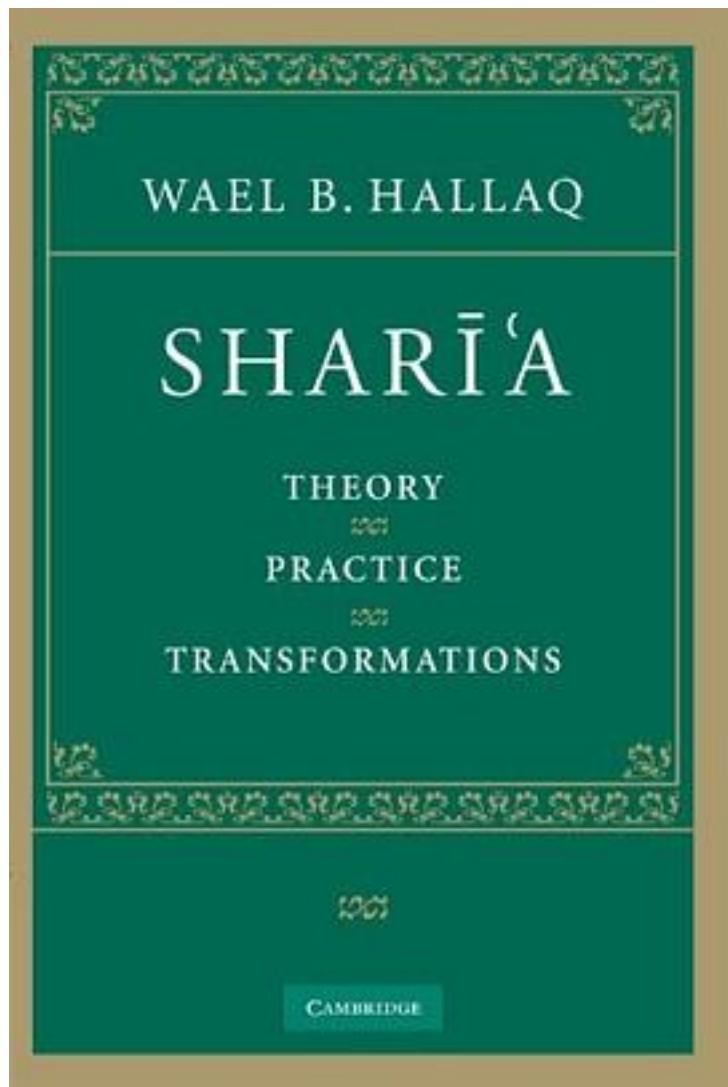


Shar'ia



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In recent years, Islamic law, or Shari'a, has been appropriated as a tool of modernity in the Muslim world and in the West and has become highly politicised in consequence. Wael Hallaq's magisterial overview of Shari'a sets the record straight by examining the doctrines and practices of Islamic law within the context of its history, and by showing how it functioned within pre-modern Islamic societies as a moral imperative. In so doing, Hallaq takes the reader on an epic journey tracing the history of Islamic law from its beginnings in seventh-century Arabia, through its development and transformation under the Ottomans, and across lands as diverse as India, Africa and South-East Asia, to the present. In a remarkably fluent narrative, the author unravels the complexities of his subject to reveal a love and deep knowledge of the law which will inform, engage and challenge the reader.

作者介绍:

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标签

宗教学

宗教

中东研究

伊斯兰教

伊斯兰

评论

第一部分梳理sharia (司法系统、教法学派、法学理论和教育机构) 的形成历史，指出伊斯兰教教法因不区分法律与道德而“落后”的观点是欧洲东方主义的产物，强调历史上法律机构独立于国家而存在，统治者需要通过广义上的法律学者维护自身合法性并进行统治。第二部分是关于教法的详细解释，涉及各大教法学派关于合同、婚姻、财产等各方面的解释，展现了伊斯兰教教法的Pluralism。第三部分讨论在欧洲殖民者和本土

国家主义精英支持的现代性的影响下，原本具有多元性、根植于特定历史背景的伊斯兰教法逐渐法典化、官僚化，成为国家的统治工具。（Hallaq对伊斯兰教法存在一种体制化、本质化的理解，在强调伊斯兰教法与现代性/民族国家不相容的背后，其实否认了伊斯兰教法自身的历史性变化。）

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书评

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