

Relevance Of Qiyas In Islamic Law In The Contemporary World

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this study deals with the concept rules and application of qiyas as developed in the medieval period the early chapters contain a general treatment of this principle these are followed by chapters relating to definition of qiyas the original and the parallel case the most difficult problem in qiyas is the illah we have extensively dealt with it dividing it into seven chapters the chapters relating to condition shart cause sabab and impediments mawani have also been included as they are indirectly connected with the illah as istihsan is a latent analogy qiyas khafi we have dealt with this problem in a separate chapter qiyas has remained all along a controversial subject we have therefore analysed the points of view of its exponents and adversaries and discussed their arguments in greater detail table of contents introduction chapter 1 the development of the principle of qiyas an historical perspective chapter 2 a general survey of qiyas chapter 3 justification of qiyas chapter 4 subject matter of qiyas chapter 5 the kinds of qiyas chapter 6 definition of qiyas chapter 7 the original case chapter 8 the parallel case chapter 9 rationality of legal injunctions chapter 10 definition of legal cause chapter 11 the conditions of legal cause chapter 12 the kinds of legal cause chapter 13 the methods of determining the legal cause chapter 14 the modes of reasoning in legal cause chapter 15 the mediate cause and its kinds chapter 16 the condition and its kinds chapter 17 the sign and its kinds chapter 18 the impediments to the rule of law chapter 19 the principle of istihsan chapter 20 the critique of qiyas conclusion

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on the contemporary application of the islamic legal principle of analogy by the tunisian mufti

this book highlights the key characteristics of islamicbanking which differentiate it from conventional banking this detailed book highlights how islamic banking is inconsistent with the sharia a and as such an important partof the system is the prohibition on collecting interest this central religious precept appears to rule out mostaspects of modern finance but it does allow money to be usedfor trading tangible assets and business which can thengenerate a profit brian kettell s book looks at all aspectsof islamic banking including detailed chapters on itscreation through to explanations of murabaha and musharakacontracts ijara and istisna a financing methods as well assalam and takaful insurance finally the book takes a lookat sharia a law and sharia a boards indicating the rolesand responsibilities that come with membership

analogical reasoning qiyas is one of the four sources of islamic fiqh it is recognized that the outcomes of qiyas are generally speculative in nature however a vast portion of the corpus of islamic law is derived based on qiyas one such area is marital relationship and mutual rights of the spouses in several areas of marital relationship and mutual rights the islamic jurisprudents have applied concepts and tools that are related to commerce or business tijarah such terminologies include bai exchange buy sale and ijarah lease this paper examines such employment of business related framework in the area of marital relationship and mutual rights based on both classical and post classical legal sources the author analyzes the legalistic tendency underlying the legacy of the traditional islamic law as exemplified in using business related framework in an overreaching manner such tendency is akin to commodification of women which is inconsistent with the values and spirit of islam as enshrined in the primary two sources the qur an and sunnah a broad range of gender related issues is related to such commodified view of woman also this paper offers an explanation of how the traditional islamic view on slavery might be closely connected to this commodified view furthermore it sheds light on how such commodification can impact on family as a central social institution the paper identifies some of the relevant areas where the use of qiyas has been overstretched in islamic law and strong circumspection is called for in employing such business related framework to marital gender relationship

with global assets expected to reach over a trillion dollars in the next few years islamic finance is the fastest growing segment of the international financial services industry this introductory guide takes readers on an in depth tour of this exciting new world of opportunity with profiles of the many diverse players and projections of islam s hottest growth markets

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