

ISLAMIC LEGAL SYSTEM

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INTRODUCTION

- The contemporary national legal systems are generally based on one of four basic systems: civil law, common law, statutory law, religious law or combinations of these. However, the legal system of each country is shaped by its unique history and so incorporates individual variations.
- There are hundreds of legal systems in the world. At the global level, international law is of great importance, whether created by the practice of sovereign states or by agreement among them in the form of treaties and other accords. Some transnational entities such as the European Union have created their own legal structures. At the national level there are over 180 sovereign states in the United Nations Organization. Many of these are federal, and their constituent parts may have their own additional laws.



The Islamic legal system

- The Qur'an is the principal source of Islamic law, the Sharia. It contains the rules by which the Muslim world is governed (or should govern itself) and forms the basis for relations between man and God, between individuals, whether Muslim or non-Muslim, as well as between man and things which are part of creation.



characteristic of Islamic legal system

- profession of Faith (shahada). The belief that "There is no god but God, and Muhammad is the Messenger of God" is central to Islam. ...
- Prayer (salat). ...
- Alms (zakat). ...
- Fasting (sawm). ...
- Pilgrimage (hajj).



history of islamic legal system

- Islamic law grew along with the expanding Muslim Empire. The Umayyad dynasty caliphs, who took control of the empire in 661, extended Islam into India, Northwest Africa, and Spain. The Umayyads appointed Islamic judges, kadis, to decide cases involving Muslims. (Non-Muslims kept their own legal system.)



The structure of Islamic law

- The Sharia regulates all human actions and puts them into five categories: obligatory, recommended, permitted, disliked or forbidden. Obligatory actions must be performed and when performed with good intentions are rewarded. The opposite is forbidden action.



The sources of Islamic law

- The primary sources of Islamic law are the Holy Book (The Quran), The Sunnah (the traditions or known practices of the Prophet Muhammad), Ijma' (Consensus), and Qiyas



CONCLUSION

- The Lebanese legal system is based on and inspired by the French legal system. Just like France, which occupied Lebanon until 1943, Lebanon is considered to be a civil law country and possesses its own set of codes. The most notable code is the “Code of Obligations and Contracts” promulgated in 1932 during the French Mandate. The COC, as it is known among law students, is the equivalent of the French Civil Code except for matters related to personal status (heritage, marriage, divorce, etc.), which are governed by a separate set of laws designed for the different sectarian communities. For instance, the Islamic personal status laws are inspired by the Islamic Sharia’a, some of which were promulgated during the Ottoman rule (ending in 1918).

