

# ISLAMIC LAW and TRANSNATIONAL DIPLOMATIC LAW

A Quest for Complementarity in  
Divergent Legal Theories

MUHAMMAD-BASHEER .A. ISMAIL



# Online Islamic Law Transnational Diplomatic Complementarity

**Khaled Ramadan Bashir**



## **Online Islamic Law Transnational Diplomatic Complementarity:**

Islamic Law and Transnational Diplomatic Law Muhammad-Basheer .A. Ismail,2016-04-12 This book in its effort to formulate compatibility between Islamic law and the principles of international diplomatic law argues that the need to harmonize the two legal systems and have a thorough cross cultural understanding amongst nations generally with a view to enhancing unfettered diplomatic cooperation should be of paramount priority *International Conflict and Security Law* Sergey Sayapin,Rustam Atadjanov,Umesh Kadam,Gerhard Kemp,Nicolás Zambrana-Tévar,Noëlle Quénivet,2022-07-21 This unique two volume book covers virtually the whole spectrum of international conflict and security law It proceeds from values protected by international law Part I through substantive rules in which these values are embodied Part II to international and domestic institutions that enforce the law Part III It subsequently deals with current challenges in the application of rules of international conflict and security law Part IV and crimes as the most serious violations of those rules Part V Finally in the section on case studies Part VI lessons learnt from a number of conflict situations are discussed Written by an international team of experts representing all the major legal systems of the world the book is intended as a reference work for students and researchers domestic and international judges as well as for legal advisers to governments and international and non governmental organisations Sergey Sayapin is Associate Professor and Associate Dean at KIMEP University School of Law in Almaty Kazakhstan Rustam Atadjanov is Assistant Professor at KIMEP University School of Law in Almaty Kazakhstan Umesh Kadam is formerly Additional Professor at the National Law School of India University Bangalore India and Legal Adviser with the International Committee of the Red Cross Gerhard Kemp is Professor of Law at the University of Derby in the United Kingdom Nicol s Zambrana T var is Associate Professor at KIMEP University School of Law in Almaty Kazakhstan No lle Qu nivet is Professor in International Law at the University of the West of England Bristol Law School in the United Kingdom *Islamic State as a Legal Order* Federico Lorenzo Ramaioli,2022-04-04 This book explores the legal dimension of the Islamic State an aspect which has hitherto been neglected in the literature ISIS dystopian experience intended as a short lived territorial and political governance has been analyzed from multiple points of view including the geopolitical social and religious ones However its legal dimension has never been properly dealt with in a comprehensive way assuming as a point of reference both the Islamic and the Western legal tradition This book analyzes ISIS as the expression of a potential though never fully realized legal order The book does not describe ISIS possible classifications according to the standards and the criteria of international law such as its possible statehood or proto statehood issues that are however touched upon Rather it analyzes ISIS own legal awareness based on the group s literary materials which show a considerable amount of juridical work Such material mainly propagandistic in its nature is essential in understanding which kind of legal order ISIS aimed at establishing The book will be of interest to students and academics in the fields of Law International Relations Political Sciences Terrorism Studies Religion and Middle Eastern Studies

**Ethics of Terrorism & Counter-Terrorism** Georg Meggle, Andreas Kemmerling, Mark Textor, 2013-05-02 We are supposed to wage war against Terrorism but exactly what we are fighting against in this war there is nearly no consensus about And much worse nearly nobody cares about this conceptual disaster the main thing being whether or not you are taking sides with the good guys This volume is an analytical attempt to end this disaster What is Terrorism Are terrorist acts to be defined exclusively on the basis of the characteristics of the respective actions Or should we restrict such actions to acts performed by non state organisations And most important is terrorism already by its very nature to be morally condemned But having a clear idea of what Terrorism is would be only the beginning Rational moral assessment still needs two further components The relevant facts and the relevant values and norms Now in a field where systematic disinformation has been even proclaimed to be the official policy facts are obviously very hard to get at This volume is mainly interested in Ethics What s wrong with Terrorism And what is morally right or morally wrong respectively with all the different means of Counter Terrorism What are the moral boundaries for waging war against terrorism What are the right ways of dealing with terrorists And what about the alleged anti terrorism wars on Afghanistan and Iraq With contributions from Marcelo Dascal Tomis Kapitan Daniel Messelken Seumas Miller Olaf L Mueller Igor Primoratz Charles P Webel Per Bauhn Rüdiger Bittner C A J Tony Coady Haig Khatchadourian Georg Meggle Peter Simpson Carolin Emcke Ralf Groetker Laurence Lustgarten Thomas Mertens Aleksandar Pavkovic Filimon Peonidis Janna Thompson Veronique Zanetti **The Routledge**

**International Handbook of Criminology and Human Rights** Leanne Weber, Elaine Fishwick, Marinella Marmo, 2016-08-25 The Routledge International Handbook of Criminology and Human Rights brings together a diverse body of work from around the globe and across a wide range of criminological topics and perspectives united by its critical application of human rights law and principles This collection explores the interdisciplinary reach of criminology and is the first of its kind to link criminology and human rights This text is divided into six sections each with an introduction and an overview provided by one of the editors The opening section makes an assessment of the current standing of human rights within the discipline Each of the remaining sections corresponds to a substantive area of harm prevention and social control which together make up the main core of contemporary criminology namely criminal law in practice transitional justice peacemaking and community safety policing in all its guises traditional and emerging approaches to criminal justice and penalty both within and beyond the prison This Handbook forms an authoritative foundation on which future teaching and research about human rights and criminology can be built This multi disciplinary text is an essential companion for criminologists sociologists legal scholars and political scientists Global Deception Joseph A. Klein, 2005 Harry Truman was a pragmatist who saw in the UN a forum for sovereign independent nations to iron out their differences But for globalists the goal has always been a true world government This thinking now infests the UN from top to bottom In this disturbing and timely book Joe Klein exposes the globalist s true agenda stripping the US of its independence in order to make the world s

only superpower and its citizens subservient to the desires and whims of dictators tyrants and nameless bureaucrats Having failed to win over US public opinion globalists are trying to rally world opinion against America while encouraging US courts to turn to international law as opposed to the Constitution and Bill of Rights for guidance when making judicial decisions thus imposing globalism on the US by fiat Simultaneously they are weaving a tangled web of treaties and trans national organizations like the International Criminal Court and the Kyoto Treaty to gradually ensnare and destroy our nation They must be stopped This is the book to do it      **Political Handbook of the World 2008** Arthur S Banks, William Overstreet, Thomas Muller, 2008-04-15 With more than 200 entries on countries and territories throughout the world this bestselling volume is the most authoritative one stop source for finding facts and analysis on each country s governmental and political makeup      Historical Abstracts Eric H. Boehm, 2000      *Studies in International Law and Diplomatic Practice with Introduction to Islamic Law* Safy al-Wadi al-Rumahi, 1980      Islamic Diplomatic Law and International Diplomatic Law Muhammad-Basheer Adisa Ismail, 2012      *Islamic International Law* Khaled Ramadan Bashir, 2018-10-26 Through the analysis of Al Shaybani s most prolific work *As Siyar Al Kabier* this book offers a unique insight into the classic Islamic perspective on international law Despite being recognised as one of the earliest contributors to the field of international law there has been little written in English on Al Shaybani s work this book will go some way towards filling the lacuna International Islamic Law examines Al Shaybani s work alongside that of other leading scholars such as Augustine Gratian Aquinas Vitoria and Grotius proving a full picture of early thinking on international law Individual chapters provide discussion on Al Shaybani s writing in relation to war peace the consequences of war and diplomatic missions Khaled Ramadan Bashir uses contemporary international law vocabulary to enable the reader to consider Al Shaybani s writing in a modern context This book will be a useful and unique resource for scholars in the field of Islamic International Law bringing together and translating a number of historical sources to form one accessible and coherent text Scholars researching the historical and jurisprudential origins of public international law topics such as international humanitarian law just war international dispute resolution asylum and diplomacy will also find the book to be an interesting and valuable text      **The Muslim Conception of International Law and the Western Approach** Mohammad Talaat Ghunaimi, 2012-12-06 The traditional doctrine of Islamic law in regard to international relations is well known The Shari a includes many excellent provisions about declarations of war treaties of peace armistices diplomatic envoys negotiations and guarantees of safe conduct But the fact remains that it divides the world broadly speaking into the Abode of Islam and the Abode of War and that it envisages the continuance of intermittent war between them until the latter is absorbed in the former In the course of such fighting and in the intervals in between many civilities were to be meticulously observed but prisoners of war could be killed sold or enslaved at the discretion of the Muslim authorities and the women of those who resisted the advance of Islam could be taken as slave concubines regardless of whether they were single or married The Abode of Islam did not indeed

consist exclusively of Muslims for those whose religion was based on a book accepted by Islam as originally inspired and in practice indeed those other religions too were not forced to embrace Islam but only to accept Muslim rule. They were granted the status of dhimmis, were protected in their persons and their property, and were allowed to follow their own religion in an unobtrusive fashion and were accorded the position of essentially second class citizens. They were also of course perfectly free to embrace Islam, but for a Muslim to be converted to another faith involved the death penalty.

**Islamic Law and International Relations** Douglas Owen-Ali, 1998      *Islamic Law and International Law* Emilia Justyna Powell, 2019

Islamic Law and International Law provides a comprehensive comparison of the Islamic legal tradition and international law especially in the context of dispute settlement. Do states of the Islamic milieu avoid international courts? How do they view mediation and arbitration? Is Islamic legal tradition incompatible with international law? The answer to the Islamic law international law nexus puzzle lies in the diversity of how secular and religious laws fuse in domestic legal systems across the Islamic milieu. States are not Islamic to the same degree or in the same way. Consequently different international conflict management methods appeal to different states.

**International Relations under Islamic Law**, 2012      **Peace and Reconciliation in International and Islamic Law** Kaleem Hussain, 2023-06

In an age where the global rules based world order faces significant challenges to maintaining peace and stability with world superpowers jockeying to preserve their influence across multiple theatres of conflict, this book explores the major international laws and treaties governing the process of peace and reconciliation. Focusing on the conflicts in Afghanistan, Palestine, Israel and Kashmir, it examines and analyses these conflicts through the prism of international law, humanitarian norms, treaties and conventions interspersed with insights from the Islamic legal tradition. An innovative approach to the problem of conflict resolution is applied by a reviewing the jurisprudential sources and tools that are used in international and Islamic law and b) using a comparative analysis to provide an assessment of whether these sources help or hinder individually or collectively the chances for peace and reconciliation in specific global conflict theatres. It also explores how by supplementing these legal tools using principles of Islamic peacebuilding along with a theological diplomatic conflict reconciliation model could assist in the brokering of peaceful outcomes. This book will be of benefit to think tanks, inter faith institutions, government departments, diplomats, ambassadors, statesmen and stateswomen, consulates, faith leaders, universities, public policy, political science departments, international relations analysts, counter terrorism security experts and academics who are interested in the interfaces between Islamic and international law.

International Law and Islamic Law Mashood A. Baderin, 2008

Collection of essays examining issues concerning the relationship between modern international law and Islamic law.

**Islamic Law, International Relations, and Human Rights: Challenge and Response** Abdullahi Ahmed An-Na'im, 1987      **Treatment of Diplomatic Envoys Under International Law and in Islam** Alfirjani Ali Mohammed Abuzayan, 2022      *The Relevance of Islamic Law and Jurisprudence in Present Day International Relations and Diplomacy* Douglas Owen-Ali, 1994

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