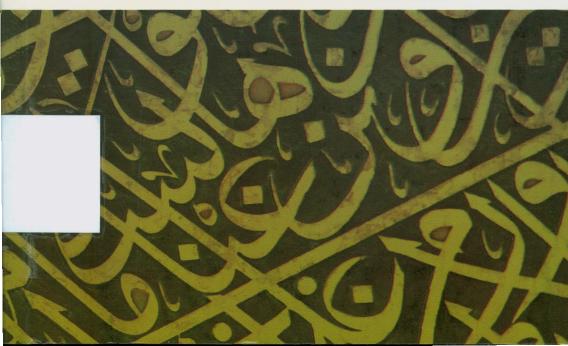
MAQĀŞID AL-SHARĪ'AH

Explorations and Implications

Edited and with Introduction by
MOHAMED EL-TAHIR EL-MESAWI



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Robert Dickson Crane started his professional career at Harvard Law School in 1956, where he received a Doctorate of Laws (J.D.) in comparative jurisprudence. This lifelong interest originated in the culture was passed on to him by his greatgrandmother, who spoke Cherokee as her native language and helped to raise him as a custodian of the Cherokee Nation's indigenous religion borrowed in 1310 A.C. from the Mali Empire in Africa. At the age of 20 in 1949, in order to study the concept of justice and the practice of injustice, he joined the underground resistance movement in Eastern Europe and was perhaps the only person to have escaped twice from Stalin's Gulag Archipelago. In September, 1962, he was one of the four co-founders of the Center for Strategic and International Studies, Washington's most influential think-tank, as an expert on totalitarianism. In January, 1963, as a result of his publications there, Richard Nixon appointed him as his principal advisor on foreign policy and on Islam and interfaith cooperation. In January 1969, Nixon appointed him as Henry Kissinger's Deputy for Planning in the National Security Council, but this resulted in an existential clash of civilizations between Kissinger's paradigm of power as the ultimate foreign policy goal and Dr. Crane's indigenous paradigm of compassionate justice. Later in 1981, Dr. Crane was appointed by President Reagan as the U.S. Ambassador to the United Arab Emirates. In 1982, Dr. Crane became a full-time Islamic activist as Director of Da'wa at the Islamic Center in Washington, D.C., and Director of the Dialogue Commission in the Interfaith Conference of Metropolitan Washington. Since 1985, Dr. Crane has been associated in various capacities with the International Institute of Islamic Thought (IIIT) and has published books, monographs, and almost monthly articles as head of his own think-tanks, beginning in 1992 with The Center for Civilizational Renewal and its book, Shaping the Future: Challenge and Response. In the late 1990s he was Managing Editor of the Middle East Affairs Journal at the United Association for Studies and Research. From 2011 to 2015 he was a professor at Qatar Faculty of Islamic Studies and Director of its Center for the Study of Islamic Thought and Muslim Societies. He is currently the Editor-in-Chief of Armonia (www.armoniajournal.org), and Chairman of its sponsor, the Holistic Education Center for Civilizational Renewal.

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Wael B. Hallaq is a renowned scholar of Islamic law, with numerous contributions to the field of Islamic legal studies and intellectual history. He is currently Avalon Foundation Professor in the Humanities at Columbia University, USA which he joined in 2009. His primary interests include the epistemic institutional ruptures created by the onset of modernity and the many sociopolitico-historical forces that come with it, and the intellectual history and development of Orientalism. Hallaq is also concerned with the development of Islamic traditions of logic, legal theory, and substantive law along with the interdependent systems within these traditions. Hallaq's writings have explained the structural dynamics of legal change in pre-modern law and have recently been moving in the direction of asserting the centrality of moral theory to understanding Islamic law, past and

present. He is the author of a dozen books, including *The Origins and Evolution of Islamic Law* (2005), *Shari'a: Theory, Practice, Transformations* (2009), *An Introduction to Islamic Law* (2009), *The Impossible State* (2013), and most recently *Restating Orientalism*, published in July 2018 by Columbia University Press. He's also edited or co-edited many books and has published numerous articles. His works have been translated into several languages including Arabic, Hebrew, Indonesian, Italian, Japanese, Persian, and Turkish. He joined McGill University as an assistant professor in Islamic law in 1985, after receiving his Ph.D. from the University of Washington in 1983. He became a full professor in Islamic law in 2005.

A 'maqāṣid awakening' (ṣaḥwah maqāṣidiyyah) has resulted in an increasingly large body of literature covering different aspects in the study of the goals and intents of Islamic law or maqāṣid al-sharīʿah: conceptual, methodological, historical and practical. This surge involves not only students of Islamic jurisprudence and Sharīʿah scholars, but also different categories of researchers and writers from the various disciplines of the humanities and social sciences to the natural and hard sciences. We could thus speak of the emergence of a new area of study bearing the name of 'Maqāṣid studies', in the same manner we talk of language studies, Qur'anic studies, Ḥadīth studies, etc.

The present volume is an attempt to offer both a comprehensive and diversified view of *maqāṣid al-sharīʿah* as a crucial and at the same time understudied subject in the English language, covering historical, theoretical and practical aspects thereof. The contributors' sense of intellectual commitment, academic soundness and moral responsibility are certainly what accounts for its quality.

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