1. Record Nr. UNINA9910813453703321 Autore Layish Aharon <1933-> Titolo Sharia [i.e. Sharia] and custom in Libyan tribal society: an annotated translation of decisions from the Sharia [i.e. Sharia] courts of Adjabiya [i.e. Aidabiya] and Kufra / / by Aharon Lavish; with a linguistic essay by Alexander Borg Leiden: Boston, Mass., : Brill, 2005 Pubbl/distr/stampa **ISBN** 1-280-86708-6 9786610867080 1-4294-2728-0 90-474-0626-5 1-4337-0438-2 Edizione [1st ed.] Descrizione fisica 1 online resource (373 p.) Collana Studies in Islamic law and society, , 1384-1130 ; ; v. 24 Disciplina 340.5/9/09612 Soggetti Islamic law - Libya - Kufra Oases Islamic law - Libya - Ajdabiya Customary law - Libya Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Nota di bibliografia Includes bibliographical references (p. [273]-284) and index. Nota di contenuto Preface: Acknowledgments: Introduction: Shari'a and Custom in Tribal Society; THE DOCUMENTS IN ENGLISH TRANSLATION AND ANNOTATION: 1. Personal Status and Succession: 2. Homicide, Bodily Injury and Defamation of Women's Reputation (55-60); 3. Slaves and Manumitted Slaves (docs. 61-62); 4. Property, Obligations and Contracts (docs. 63-68): 5. Evidence and Court Procedure (docs. 69-70); 6. Qadis' Legal Opinions (docs. 71-72); APPENDICES; Bibliography; Glossary of Arabic Legal Terms and Phrases; Name Index of Qadis', Na'ibs and Other Judicial Clerks; General Index ""Orality, Language, and Culture in Arabic Juridical Discourse"" by Alexander Borg Sommario/riassunto This volume presents annotated English translations of 72 court decisions handed down by the the Sharia Courts of Adjabiya and Kufra

roughly during the period 1930-1970; the original texts (facsimiles and edited documents) appeared in A.Layish, Legal Documents on Libyan

Tribal Society in Process of Sedentarization (Wiesbaden, 1998). The documents address personal status, succession, homicide and bodily injury, property, obligation, and attest to the interaction between the sharia representing normative Islam, and tribal customary law, representing social reality in Cyrenaica during the aforementioned period. They also exemplify the qadi 's role of bringing a Bedouin society within the orbit of normative Islam. A.Borg's essay Orality, Languages, and Culture in Arabic Juridical Discourse addresses cultural aspects of orality on the language of these documents. The study is intended for Orientalists, Islamologists, legal and social historians, social scientists, and lawyers interested in Islamic and comparative law.