

THE CONCEPT OF SHARĪ‘A

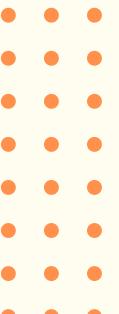
EPISTEMOLOGIES, PARADIGMS, AND HERMENEUTICS

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The profound transformations that have marked the political, economic, technological, social, religious, and cultural landscape since the fall of the Berlin Wall, the Gulf War, and the acceleration of globalization and secularization have had a significant impact on Muslim societies and Muslim minorities in the West. These developments have led scholars and intellectuals, both Muslim and non-Muslim, to reconsider the foundational texts of Islam and the classical Islamic corpus through the lens of contemporary contexts and by increasingly integrating the tools offered by the social sciences.

Recent studies devoted to theology and Islamic thought have generated (and continue to generate) intense debate, contributing to an epistemological and paradigmatic renewal within Islam. While these discussions nourish reflection, they also open new theological and hermeneutical perspectives. Depending on the context, this renewal takes different forms in the Muslim world and in the West. Yet one cannot deny the existence of a transnational dimension, visible for instance in the organization of international conferences on Islamic questions bringing together Muslim (and, to a lesser extent, non-Muslim) scholars from diverse backgrounds, as well as in the publication of numerous works in Arabic and other languages (Siddiqi, 2023; al-Malkawi, 2014).

One of the major themes at the center of this contemporary (and medieval) literature is the concept of *sharī‘a* in Islam. It is generally described as a legal system grounded in the set of religious values and principles intended to guide human life. It remains, however, intrinsically linked to the principiology of Islamic law (*uṣūl al-fiqh*). In the medieval period, the development of this principiology began with al-Shāfi‘ī’s *Risāla* and continued with later theorists such as Ibn Ḥazm (d. 456/1064) in al-Andalus, al-Ghazālī (d. 505/1114), al-Āmīdī (d. 631/1233), and eventually Abū Ishāq al-Shāṭibī (d. 790/1388), whose *al-Muwāfaqāt* offered a normative theorization of legal principiology and of the higher objectives (*al-maqāṣid*) of Islamic law. In the modern period, the Tunisian theologian Ibn ‘Āshūr (d. 1393/1973) conceived *sharī‘a* as a canon (*qānūn*) or a system of practices regulating society while excluding matters of creed (*diyānāt*).

For Ali Benmakhlouf, *sharī‘a* represents an *ijtihādīc* effort to “translate” Quranic verses into legal norms, an epistemic concept that long remained flexible and adaptable. Anver Emon interprets *sharī‘a* as a “rule of law,” arguing that it is neither purely a legal doctrine nor the divine law itself, but a conceptual framework within which different claims to justice emerge among members of the Muslim community (Emon, 2012, 16; Emon, 2015, 196-214). More recently, Sohaira Siddiqui has described *sharī‘a* as a *nomos*, a dialectical mechanism of governance shaping society through the production of legal norms and responding to sociopolitical (and cultural) conditions (Siddiqui, 2019, 279-283).

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Programme of presentations

Date of the event	Presenter's name	Presentation title
Jeudi 29 janvier 2026	Tareq Oubrou	<i>L'islam est-il sécularisable ?</i>
Jeudi 19 février 2026	Farid al-Asri	<i>Modalités épistémologiques et herméneutiques du référentiel coranique comme matrice Shari'atique: orientation, sens et fondements</i>
Jeudi 26 mars 2026	Steven Duarte	<i>Réformisme ou l'enjeu épistémologique : étude de cas de 3 penseurs : France et Jordanie. (provisoire)</i>
Jeudi 30 avril 2026	Abdelouahab Rgoud	<i>Approches théologique et philosophique du concept de <i>Musharri'</i> dans l'oeuvre d'Averroès</i>
Jeudi 28 mai 2026	Jamal Zaid al-Kilani	<i>تأويل النصوص وأثره في النزاعات وبناء جسور التفاهم</i>
Jeudi 18 juin 2026	Aryan Rahimian	<i>Réflexions sur les sources de la Sharia. Le cas problématique du <i>hadîth qudsî</i> : paradigmes et perspectives herméneutiques</i>

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