**THE TWELFTH**

**SYMPOSIUM ON DEVELOPMENT OF**

**JURISPRUDENTIAL SCIENCES IN OMAN**

**World Vision Jurisprudence and the existence within**

**Juristic Ideologies and Contemporary Experience**

**Summary of Lectures**

**06 April 2013 Session**

**Research Summary of Dr. Idris Al Fahry Paper Titled :**

**Rules of Touristic Jurisprudence in Islam**

Muslims must be proud of the achievement of the Islamic Jurisprudence in human history and that movement of people across the world is governed by a number of restrictions within both the national and the International rules, such rules are based upon International treaties. These rules and treaties do not contradict the permanent Sharia Law.

In conclusion Dr. Idris Al Fahry pointed out that it was not possible within the scope of juristic foundations for tourism in Islam to impinge such restrictions and rules. In view of the fact that they are based on International treaties, and the Qur'an stresses in verse 1/5 " **O you who believe ! fulfill all your obligations**"

**Research Summary of Dr. Adel Al Masdy Paper Titled :**

**Immunities in Islamic Jurisprudence and Positive Legislations**

The Islamic Jurisprudence of emissaries of non Muslim states to Muslim states assert that they enjoyed certain immunities and privileges. Such fact was certified after several centuries in the positive International laws and regulations . In the same way, the Islamic jurisprudence asserts as far as the International law is concerned, the immunity of the diplomatic mission headquarters.

Dr. Adel Al Masdy concluded his lecture by saying that our Prophet ( Peace be Upon Him ) Granted certain kind of diplomatic immunity which is recognized now to emissaries and envoys of non Muslim States and Groups showing clearly how the Prophet treated such emissaries and envoys. As such, Islamic jurisprudence recognizes the importance of granting certain immunities and privileges .

The Islamic Jurisprudence regarding the International law, admits the importance of granting immunities to a diplomatic emissary personally and that he should be treated and respected appropriately should not be arrested or remanded in custody while protecting his abode and personal belongings . He should also enjoy a judicial immunity especially in matters pertaining to criminal cases.

**Research Summary of Dr. Wahba Al Zuhaili Paper Titled :**

**The Concert of Qualitative Dispute from Sharia Perspective**

Dr. Al Zuhili explained the concept of dispute and difference among juristic scholars and the disparity between the two, pointing out the importance of taking the juristic dispute into consideration and that the difference is a natural and necessary thing emphasizing that the Muslim Umma is one and their juristic sources are almost the same. Such differences help to widen the areas of discussion.

He pointed out the areas of dispute among the sects and the eight sect Imam ideologies in the field of IJTIHAD. These sects are ( Hanafi, Maliki, Shafii, Hambali, Ibadhis, Al Jaafari, Al Zidi and Al Dhahiri ) . He stressed the important ways to rid such difference from its source, and finally he summarized that the Muslim Umma is one, its doctrine is one and its juristic sources are almost uniform, and that differences among the IJTIHAD Imams must not produce divisions.

**Research Summary of Dr. Faiz Mohammad Hussain Mohammed Paper Titled : The Sheria and Law in the Ottoman era and the relationship to System of denominations**

Dr. Faiz paper discusses a number of major points , such as The power of the ruler in legislation, the concept of the legislation in Islam, the evolution of double standard between Sharia and Law in Ottoman State, the effect of foreign privileges, movement of the Ottoman organizations, legal and judicial modernization and westernization, formulation of the relation between an individual and the state, the Islamic law principles , application of sectarian laws, denomination judiciary and the issue of impartial laws.

The Islamic Sharia Law befits all times and places guaranteeing the human rights of men providing rights in judiciary to non Muslim, applying their legislations and do not force them to succumb to a Muslim magistrate ( Qadhi ) verdict.

In 1876 Sultan Abdulhameed issued a constitution based on European constitutions emphasizing there in a number of basic principles pertaining to the relationship between the states and the individuals .

The Ottoman state, however, adopted the HANAFI sect as an official sect of the state considering it the main source of its legislation.

**Research Summary of Dr. Mustapha Taseeresh Paper Titled :**

**The Concept of pledge , security and Dar Al Islam**

Dr. Mustapha attempted in his research to clarify that the core of Islam and a Muslim carries within a message of pledge, peace and security . It is noteworthy that the name Islam as opposite to Judaism , Christianity and Buddism was not derived from the name of the person but it was derived from an abstract concept that is the concept of peace and security, and a such Islam is the faith of peace, security and pledge and that a Muslim is a man of peace, security and pledge .

Portraying Islam as a faith of violence, and to manifest a Muslim as a terrorist must not in any way distract him from his faith as a Muslim – a man of peace and security who should keep on working for the sake of peace, security and pledge in the World . It is not the first time that hatred to Islam is manifest .

**Research Summary of Dr. Ahmed Mablaghi Paper Titled :**

**The Theory of coexistence in Islam based on sources and visions of Muslim scholars**

In his brief research, Dr. Mablaghi tried to prove the following theory – The coexistence that Islam requires is a stable and understood process in which Muslims act from Islamic inherent principles to organizing , building and cementing coexistence relationship based on three levels : the Islamic level that is coexistence among Muslims themselves, the faith level that is coexistence between Muslim and non Muslim and human level that is coexistence between Muslims and other human beings .