

ISLAMIC LAW

Islam should be seen beyond being an axiological hierarchy, different from other civilizations including Christianity. It should be seen as a natural flow of evolutionary thoughts and feelings of some people. Those people, on the contrary with those inhabiting Europe, have had and still continue to have the way of life in harmony with their environment, often not very fertile. Historical realities have forced upon them a very well-established spiritual world.

The idea of justice as one of ingredients of every civilization, can be explained in the contest of phenomena that vitalizes it. Moreover, if we talk about Islam for which Raymond Charles describes as follow: “Islam (from Salam – “obedience of God”) is a religion first and foremost, then is a state and finally is a culture. Because it’s not conservative or fanatic either, Islam from jurisdiction point of view, has followed step by step nowadays developments without denying or neglecting European justice system.

The activity of this religion develops through institutions which simultaneously are juridical as well as based on pillars of Islam: Salah (Namaz), Zakat – a donation of at least 2.5% of their accumulated wealth for the benefit of the poor, praying five times a day, fasting the month of Ramadan, pilgrimage to Mecca; Shahada - testimony of belief, which consists in repetition of the formula: La Ilah il-laLlah, Muhamedun resuluLlah, “There is no other God except Allah and Muhammad is His messenger”.

The Islamic religion has two aspects, the theology that defines religious norms by correcting the belief of every Muslim and the Sharia - the legislative aspect, the “path you should follow” - general rule of behavior which every follower should bear in mind.

Actually, in principle Islamic states have adopted codes according to European model, representing intertwines of principles of Islamic law with European judicial sciences. The only difference is that a Muslim judge has its own vision that includes concrete solutions for every single case, bypassing generalization or definition.