

The Islamic Criminal Justice System

M. CHERIF BASSIOUNI, EDITOR

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the Name of the Lord
The Most Gracious, the Most Merciful

PREFACE

This is the first comprehensive book on the Islamic criminal justice system to be published in the English language. It includes contributions by distinguished Muslim scholars who covered the most important aspects of Islamic jurisprudence, criminal law, criminal procedure, evidence, sanctions, corrections, criminal justice policy and the protection of human rights. In that respect its content and coverage gives the non-Muslim reader a comprehensive perspective of the subject.

As my ACKNOWLEDGEMENTS indicate, this book is an outgrowth of a Conference held at the International Institute of Higher Studies in Criminal Sciences—ISISC—(Siracusa, Italy, 1979) which was under the co-sponsorship of the International Association of Penal Law—AIDP—and the Arab Organization for Social Defense Against Crime.

The contributions published in this book were, (with the exception of those of Professor Abdel-Malek, Judge Kamel, and one of my two articles and my INTRODUCTION) all presented at the Conference. Several other valuable papers were also presented at the Conference but, due to space limitation in this book, they regrettably could not be included herein.

Since the INTRODUCTION explains the purpose and scope of the book, and the ACKNOWLEDGEMENTS express my appreciation to those who contributed to its realization, this PREFACE is intended to explain some of the particularities of this work.

Any student of Arabic will readily admit to the difficulty of translating from that language into English. But that difficulty is compounded here by the fact that the material in question is of a complex legal nature. After translation, each contribution had to be edited three times in order to make the text more meaningful to an audience which may be unfamiliar with the different aspects of the topics presented. It was also necessary because the Islamic legal system differs from others with respect to its religious basis, philosophical conceptions, sources of law, unarticulated legal premises, specific legal proscriptions, intellectual approach, cultural and historical framework, framework of analysis, methodological approach and terminology. All of this would make an unedited translation of little relevance and interest to the uninitiated. As Editor I perceived the need to meaningfully relate the presentation of the Islamic criminal justice system, as described by the various authors, to the legal systems of the intended readership. This is why I took some liberties in editing the English translation of the original Arabic texts, including the condensation of certain contributions—I hope that the authors will approve of the final product. In the event I may have strayed from their intended meaning, which is possible considering the richness of the Arabic vocabulary and the complexity of the topics covered, I extend to them my apologies.

Several problems were encountered in editing the manuscripts. The authors did not always refer to their sources, and whenever possible I supplied the citation, but to find such resources outside major Muslim capitals and some western cities is very difficult. Thus in some cases citations were left incomplete and I apologize to the reader for these instances. The choice was either to remove the reference altogether or to leave it, albeit incomplete as to date of publication or page number. The latter was more often the choice because of the intrinsic importance of the reference. In many instances, however, Arabic language books do not bear a date of publication (which is particularly true of older texts).

Some of the authors refer to certain *Hadith* and to the writing of one or more of the founders of the four major *Sunni* schools of jurisprudence without citing a source. This is a somewhat common practice in Islamic legal literature because of the assumption that the reference is so well known that it does not necessarily require a citation. Whenever possible I supplied it, but in addition I included a short BIBLIOGRAPHY to assist the researcher who wishes to be referred to principal sources.

There is finally the problem of maintaining consistency in spelling and transliteration. For ease in production and reading the appropriate accents were not placed on the transliterated words, which were written phonetically for the convenience of the reader.

The content of the contributions presented many challenges. For instance many authors covered the same or similar material, but because their topics relied on such material it was not possible to edit them beyond what was done, without distorting the meaning of the respective contributions. I hope I was able to avoid too much repetition without detrimentally affecting the substance of each author's contribution.

The material has been organized in two parts:

Part I deals with the sources of Islamic law, the nature of the criminal process, the rights of the accused and its balance in the social-religious context of Islamic criminal justice policy, and the evidentiary requirements. This later topic could equally have been included in Part II, because it can be considered part of the procedural context as well as the substantive one.

Part II deals with the basis of criminal responsibility, the principle of legality, the three categories of crimes under Islamic law, and covers broadly and specifically the various penalties and their application. The division is thus *latu senso* between the procedural and substantive matters, though the topics of sources of law and jurisprudence, and their application, are covered in contributions appearing in both categories (*i.e.* procedure and substance).

As a first attempt* to explain to a non-Muslim audience in a language other than Arabic the richness, complexity and intricacy of Islamic criminal justice, the

*N.B. The Institute of Crime Prevention, Ministry of Interior, Kingdom of Saudi-Arabia published in Arabic, and then in an English translation, under the auspices of the U.N. Social Defense Research Institute in Rome, the Proceedings of an International Conference held in Riyadh in 1976, on certain aspects of the Islamic criminal justice system as applied in Saudi-Arabia. The Arabic text was published in 1978 and the English translation in 1981.

book may have its shortcomings. It is my wish, however, that it will accomplish its informational if not scholarly purposes and stimulate others to publish more detailed works in the future on the same subject and on the topics covered herein.

Chicago October 8, 1981
10 Dhul-Hejja 1401

INTRODUCTION

Islam is the last of the Divine Revelations. As the *Qu'ran* states, Islam is not a new religion but the culmination of God's spiritual and temporal commands made known to mankind through Moses and Jesus and the prophets, and Muhammad the last prophet. Islam, therefore continues as the successor and final expression of the Judeo-Christian revelations.

The *Qu'ran*, which is the principal source of Islamic law (*Shari'a*), contains the rules by which the Muslim world is governed (or should govern itself) and forms the basis for relations between man and God, between all persons whether Muslim or non-Muslim, as well as between man and all aspects of the creation. The *Shari'a* also contains the rules by which Muslim society (or societies) is organized, and it provides the means to resolve conflicts between individuals and between the individual and the state. As such one of the acknowledged goals of the *Shari'a* is to combat crime through faith and religious observance, and through the various proscriptions and modalities for the establishment of a just criminal justice system.

There is no dispute among Muslims that the *Qu'ran* is the basis of the *Shari'a* and that its specific provisions are to be rigorously and scrupulously observed.

The *Sunna* is a complementary source to the *Qu'ran* and consists of both the sayings (*Hadith*) of the Prophet and accounts of his deeds. The *Sunna* explains and amplifies the *Qu'ran*, and it cannot be interpreted in any way which alters the *Qu'ran* or is inconsistent with the meaning of any of its specific provisions. The *Qu'ran* and *Sunna* thus constitute the very substance of the *Shari'a*.

Though there are other sources of law, a principle of gradation and priority of sources exists which makes the *Qu'ran* the first source, followed by the *Sunna*, and this in turn followed by other sources of law and rules of interpretation of the *Qu'ran* and the *Sunna*.

The *Qu'ran* contains a variety of law-making provisions and legal proscriptions interspersed throughout its chapters (*Surat*) and verses (*Ayat*). A number of rules exist for interpreting these provisions such as the position of a given *Ayat* within the context of the *Surat*, which in turn is interpreted in accordance with its place in the sequence of revelations, its reference to other revelations, and its historical context in relation to particular conditions which existed at the time of the given revelation. These and other rules are known as the science of interpretation (*Ilm usul al-fiqh*).¹ According to these rules one initially is to refer to a

¹See e.g. *Bibliography*, at 253, for the four *Sunni* schools and for the *Shi'a* sources. For a contemporary summary, see A. HASSAHALLAH, OUSOUL AL-TASHRI' AL-ISLAMI [THE PRINCIPLES OF ISLAMIC LEGISLATION] (1976).

specific provision and then to a general provision dealing with a particular situation. No general provision can be interpreted so as to contradict a specific provision, and a specific rule will be controlling over a general proposition. A general provision, however, is always interpreted in the broadest manner, while a specific provision is interpreted in the narrowest manner. Reasoning by analogy is permitted as are applications by analogy.

Besides the *Qu'ran* and *Sunna*, other sources of law make possible the application of Islam to contemporary situations. Muslim scholars do not consider Islam to be an adaptable religion or system of law, in the sense that it is evolutionary, but rather that it is a religion and legal system which applies to all times. It is therefore the application that is susceptible to evolution. Indeed, the provisions of the *Qu'ran* are such that by their disciplined interpretation, with the aid of the *Sunna*, and in reliance on other sources of interpretation and sources of law, Islam can provide the solution to contemporary social problems through the rule of law.²

Fourteen centuries ago, Islam was a spiritual, social and legal revolution; its potential for the same remains unchanged.

In the context of this book it is particularly important to appreciate the purposes of Islam and its principles. Islam can produce a system of criminal justice capable of meeting the needs of modern societies in accordance with the *Shari'a* and its policy, *Siysat al-Shari'a*, whose wisdom through the ages demonstrates its capabilities for the future, although that task remains to be accomplished.

The western reader will doubtless encounter some difficulty in grasping the manner in which the *Qu'ran* elaborates the blueprint for a legal system and the methodology by which provisions of the *Qu'ran* are interpreted and applied. This problem will be apparent throughout this book as references are made to specific verses of the *Qu'ran* or statements of the *Sunna*, which to an Arabic-speaking Muslim might be more readily understood, than to the non-Muslim non-Arabic speaking person. The problem is essentially cultural (and linguistic), but also conceptual and methodological. Even for the Muslim world the matter is arduous.³

Islamic jurisprudence developed over fourteen centuries from the first Islamic revelation in 622 A.D. to contemporary times. During that history various schools of jurisprudence emerged, each giving its own view of the meaning and application of the *Shari'a*. Many schools even spawned sub-schools with different interpretative approaches and applications.

Islamic jurisprudence has also been influenced in its evolution by the various cultures and social systems which it has encompassed. Furthermore, the spread of Islam in time was also across much of the earth's surface, extending at its height from southern France to Central Asia, assimilating races and transforming

²See Bassiouni, *Sources of Islamic Law, and the Protection of Human Rights in the Islamic Criminal Justice System*, at 3.

³See e.g. IBN KHALDOUN, *AL MUQQADIMA* [THE INTRODUCTION OR PROLEGOMENON].

cultures without destroying them.

Islam took root and spread among so many peoples enduring for so long, notwithstanding human cultural differences, because one of its basic premises is equality in diversity.

The *Qu'ran* expressly states in *Surat al-Hujurat*:

O people, we have created you male and female and we have made you peoples and tribes so that you may come to know one another, but the best of you in the face of God is the most pious among you.⁴

Adding to this is the Prophet's *Hadith* which states:

The people are equal as are the teeth of a comb. There is no one better than another, whether he be Arab or non-Arab. The best among you is the most pious.

In another *Hadith*, the Prophet said:

God brought about Islam in order to eliminate the ignorance of the past and those people who had pride in their ancestors because people are all descendants of Adam, and Adam was made of dust. The best among you before God is the most pious.

Because Islam is eternal and attuned to cultural diversity and provides for equality for and among all people, Islamic jurisprudence must be understood both in its temporal and spatial contexts. It is significant in this regard that the *Sunni* tradition (which today comprises approximately 90% of all Muslims) as opposed to the *Shi'a* tradition (approximately 10% of all Muslims)⁵ has always believed, based on a specific *Qu'ranic* provision, that matters and decisions among the people of Islam are to be governed by consensus among Muslims.⁶ The interpretation of this provision led the *Shi'a* to believe that the *Imam* or *Khalifa* must be a descendant of the Prophet. The concept of descendancy of the Prophet thereby establishes a hereditary class hierarchy in the *Shi'a* tradition, which, for the *Sunni* is contrary to the principles of equality and consensus and has been for this reason rejected by them since the seventh century.⁷

The political rift between followers of the principle of election and those favoring appointment by descendancy from the Prophet has created distinctions between *Sunni* and *Shi'a* approaches to law and jurisprudence which evolved in time. As a consequence, the *Shi'a* view the sayings of the daughter of the Prophet and of his nephew Ali ibn Abu-Talib, who was the third *Khalifa* of Islam, as equally authoritative as the *Sunna* among the sources of Islamic law.

⁴XLIX:13

⁵A. MASSIGNON, *ANNUAIRE DE MONDE, MUSULMAN* 24, 38 (1929).

⁶*Surat al-Shoura* XLII:38

And those who answer the call of their Lord and attend to their prayers (establish worship) and whose affairs are decided by consensus (a matter of consultation)...

and *Surat al-Omran (al-Imran)* III:159

...and consult with them upon the conduct of affairs.

⁷For *Shi'a* positions, see *Bibliography*, at 253, also ABDEL HUSAYN ALI, AL-MUHUTASSAN AL-NAFEH and SHARA'I AL-ISLAM (n.d.).

Furthermore, they consider the *Sunna* as authoritative only if a particular *Hadith* is recounted by a member of the Prophet's family, and only secondarily so if recounted by any other follower of the Prophet who witnessed the deed or heard the *Hadith* even though confirmed by other persons. The *Sunni* make no such differences, though they have exacting rules to confirm a deed or saying of the Prophet, and thus distinguish between a *Sunna moakada* (confirmed) also referred to as *sahih* (true), and a *Sunna* which is not confirmed.⁸ Even as to that there are gradations of forms of confirmation indicating the degree of sophistication of early Islamic jurisprudence. The danger in such sophistication is that unless it is controlled it can lapse into sophistry (as has been the case at times). Because the *Sunni* tradition represents, as it has throughout, the overwhelming majority of Muslims (90%), it is the basis of this book.

One of the major sources of law is *Ijma'* (consensus), which is also a subsidiary source of interpretation of the *Shari'a*. Indeed, in a saying, *Hadith*, the Prophet is quoted as saying: "My people would not all agree to something which is wrong," meaning that when the consensus of the people develops it is that which is correct and makes it a reliable source of law. Combined with the democratic notion of political consensus, *Ijma'* is the most authoritative basis for the legislative development of Islamic criminal justice.

There are four major schools of jurisprudence which have been followed throughout the *Sunni* Islamic world in the past fourteen centuries. They are those of *Malek*, *Abu-hanifa*, *ibn-Hanbal*, and *al-Shafei*,⁹ and they are periodically referred to throughout this book. Although there are differences among these authorities, all are within the general framework of the *Shari'a* and are considered acceptable interpretations. Frequently in this book, the contributing authors discuss differences among these schools of jurisprudence in an effort to demonstrate their diversity and compatibility with Islam. The existence of these schools and the variety of viewpoints expressed within each one further attests to the flexibility and adaptability of the *Shari'a*.

In Islam's most glorious period, from the seventh to the ninth century, Islam produced a legal system nurtured by faith which has endured the test of time. But during that period it was *Ijtihad* which produced the most far-reaching developments. Since then, *Ijtihad* was arbitrarily foreclosed and Islamic jurisprudence became stagnant and largely sterile.

Contemporary jurisprudential developments can continue the work begun ages past and still remain compatible with Islam while meeting present day demands in the field of criminal justice.

The development of the policies of the Islamic criminal justice system, already evident at an earlier time in the writings of the followers of the four major

⁸SAHIH AL-BUKHARI and SAHIH MUSLIM, multi-volume works by IMAM AL-BUKHARI and IMAM MUSLIM. Each of these works has been reprinted many times throughout the Muslim world. SAHIH MUSLIM was edited with annotations by Imam al-Nawawi in a six-volume work consisting of 18 parts (Cairo, 1924).

⁹See *Bibliography*, at 253.

schools of jurisprudence, is best exemplified in the work of a famous judge named Abu-Youssef who is credited, among other things, with founding a sub-school within the *Hanafi* school. His writings in Islamic Jurisprudence are what contemporary writers would refer to as criminal justice policy. Abu-youssef (frequently referred to by authors in this book) pioneered the protection of human rights long before the subject was ever broached by writers in other legal systems.¹⁰ Indeed what he advocated then is today compatible with many of the rights enunciated in the Universal Declaration of Human Rights and other international human rights instruments. Also worthy of particular attention is the work of the late Abdel Kader Odeh, who in the 1950s produced two volumes comparing the system of Islamic criminal justice to contemporary positive systems.¹¹ Both jurists (at a distance of twelve centuries) underscored the fact that the *Shari'a* can and must be interpreted in light of an enlightened and humane criminal justice policy, that the *Shari'a* must be understood as such—and not as many see it, exclusively through the eyes of writers many centuries departed. Nothing inherent to Islam precludes the embodiment of the *Shari'a* in contemporary codes whether they concern substantive criminal law, criminal procedure or the law of corrections.

Regrettably, the understanding of Islamic criminal justice policy is not sufficiently widespread in the world of Islam. Consequently, those who now claim Islamic resurgence frequently refer and relate only to certain periods of Islamic history without understanding the policies adopted at that time, which by their very application then, mandate change now.¹² Thus the manner in which the *Shari'a* was applied in the past may be totally irrelevant to the contemporary framework. For example, in the days of the Prophet there were no prisons. Should none exist today? But in the case of a person detained in someone's house during that time the Prophet had ordered that the detainer feed the detainee and treat him humanely and with dignity. In the days of Umar ibn al-Khattab, the second *Khalifa* of Islam, the principle was even established that the detainer pay the wife or the family of the detainee a stipend during the detention period so that they can adequately survive.¹³ What better inspiration could these examples be for a modern Code of Corrections. Can one say that such examples in early Islam are not appropriate in their application with all due regard to contemporary exigencies? Conversely the fact that evidence during the seventh century was almost entirely based on the oral testimony of eyewitnesses does not in any way preclude the use of the most modern technical and scientific means of securing evidence. No serious scholar would argue that because only eyewitness testimony

¹⁰ Abu-Youssef is quoted and cited in Abd-el-Malek, *The Right of the Individual to Personal Security in Islam*, at 55, and Salama, *General Principles of Criminal Evidence in Islamic Jurisprudence*, at 109.

¹¹ A. ODEH (also spelled *Awdah*), *AL-TASHRIH AL-JINAI AL-ISLAMI* (2d ed. 1969). Another enlightened contemporary author is the late Sheikh Mohammad Abu-Zahra, who was a professor of *Shari'a* and Chairman of that department at the University of Cairo, Faculty of Law, *infra* note 13.

¹² See e.g. Bassiouni, *Protection of Diplomats Under Islamic Law* 74 A.J.I.L. 609 (1980).

¹³ See al-Alfi, *Punishment in Islamic Criminal Law*, at 227, and M. ABU-ZAHRA, *AL JARIMA WAL-OUQUBA FIL ISLAM* (n.d. circa 1950).

was relied upon in the days of the Prophet that all other evidentiary means are today prohibited. *Siyasat al-Shari'a*, the policy of the *Shari'a*, I contend, mandates the resort to such advances. In fact the Prophet in two *Hadith* urged the search for science and knowledge.¹⁴ To claim otherwise would be to negate the scientific orientation of Islam, which is best expressed by the *Qu'ran's* approach to problems of the creation and the universe—essentially a scientific approach demonstrating in fact that which others have been asked to accept only on faith. But any scientific approach takes into account new discoveries and findings. Similarly the administration of criminal justice must respond to contemporary scientific developments whether it be in the computerization of court dockets or in the examination of reliable scientific evidence. There are also matters dealing with the rights of accused and the quality of justice. It is utopian, for example, to believe that nowadays the thousands of judges needed to staff the courts of all Muslim states will be like the ideal judge described in the famous letter of Umar ibn al-Khattab to Judge Abu-Mussa al-Ashali.¹⁵ Thus the rules of procedure in contemporary criminal justice must rely on something other than the complete faith in the equanimity, fairness and competence of all judges. Other mechanisms can and must be found to achieve the just result which the policy of the *Shari'a* aims at. In that respect the rights of the accused are well protected in rules of procedure¹⁶ and evidence.¹⁷ Considering how, for example, confessions could not be coerced, and could be withdrawn at any time as early as the seventh century, what better inspiration could one find for the protection of human rights and human dignity in criminal processes in modern times.¹⁸

Other practices which existed then and are not specifically mandated by *Qu'ran*, must be changed to reflect the humanism of Islam, and the needs of modern society.

All of this makes it appear to be a very incoherent system. In reality it is one which has not benefited since the early *Sunni* Jurisconsults (*Malek, Shafe'i, Hanafi, Hanbal*) from comprehensive compilations, let alone codifications. There are, however, many worthy authors whose words are reliable summations deserving careful study. It is therefore not the fact that things were done in a certain way at one time that is part of the *Shari'a* when there is nothing more that compels its preservation if it no longer serves the intended purpose of Islamic justice.

The western world has all too often seen the wrong side of Islam. Some of it is due to the distorted perceptions of orientalists,¹⁹ but the blame also rests on

¹⁴ The two *Hadith* are: "Search for knowledge from the cradle, to the death-bed", and "Search for knowledge even if it is in China" (indicating distance and difficulty in reaching it).

¹⁵ See Bassiouni, *supra* note 2, at xiv.

¹⁶ See Abd-el-Malek, *supra* note 10, and Awad, *The Rights of the Accused Under Islamic Criminal Procedure*, at 91.

¹⁷ See Salama, *supra* note 10.

¹⁸ See Resolution of the First International Conference on The Protection of Human Rights in the Islamic Criminal Justice System, at 249.

¹⁹ E. SAID, *ORIENTALISM* (1978). See also E. SAID, *COVERING ISLAM* (1981).

Muslim scholars, who did not rise to the true challenge of Islam: the challenge of developing a fair and adequate, a just and effective system of criminal justice, as the philosophy and policy of Islam requires.²⁰ It is to this end that this writer has undertaken the difficult task of producing this book, in the hope that it contributes something to a better understanding of Islam and its criminal justice system among Muslim as well as non-Muslim jurists, policy-makers, and persons interested in this field.

M. Cherif Bassiouni

October 8, 1981
10 Dhul-Hejja 1401

²⁰ *Surat al-Nahl* XVI:90:

Lo! Allah Enjoineth (orders) justice (or injustice) and kindness (or unkindness) and to give to (one's) kinsfolk...

and in the same *Surat*, *Ayat* (verse) 125:

call (others) onto the way of thy Lord with wisdom and fair (gracious or kind) with them in best way.

Surat al-Baqara II:86:

Allah asketh (or burdeneth) not a soul (also meaning a person) beyond what it can bear. It has (receives) what it has earned and owes only what it has deserved. Lord do not condemn us for what we have forgotten or for what we have mistaken. Lord do not impose upon us the burdens you have imposed on those before us. Lord do not impose upon us that which we cannot bear.

Surat al Nissaa IV:58:

Lo! Allah commandeth you to restore (or return) that which you have been entrusted with to their owners and, if you judge between the people judge justly...

in *Ayat* 135:

O ye who believe! Be staunch in justice, in witness for Allah (meaning saying the truth) though it be against yourself or (yours) parents of (yours) kindred, whether (a case be of) a rich man or a poor man, for Allah is nearer (then ye are) (meaning He is the One most apt to judge among people). So follow not passion lest you stray from the truth, and if you lapse or deviate Allah is ever knowing and informed.

ACKNOWLEDGEMENTS

Most of the contributions contained in this book were papers presented at the First International Conference on the Protection of Human Rights held at the International Institute for Higher Studies in Criminal Sciences—ISISC—(Siracusa, Italy) in May 1979. The Conference was under the joint co-sponsorship of the International Association of Penal Law (AIDP) and the Arab Organization For Social Defense Against Crime. (The names of the distinguished participants appear in Appendix B.)

My appreciation is therefore first extended to the Institute which hosted the Conference, to the AIDP and the Organization for co-sponsoring it and to the speakers and participants in the Conference. In particular to Ahmad Fathi Sorour, Professor of Criminal Law, the University of Cairo, who helped me organize the Conference and co-chaired it, and to Geroge Abi-Saab, Professor of International Law, Institut des Hautes Etudes Internationales (Geneve) who was the Conference Rapporteur (and whose final Report appears in Appendix A).

The Conference produced a rather unique document which appears in Appendix C. Since it was adopted unanimously (save for one abstention) it is truly a credit to all the participants.

All the contributions presented to the Conference could regrettably not be included in this book because of the size that it would have comported. But I wish to extend my appreciation to those who contributed and whose work was ultimately published in Arabic in the *MAJALLAT AL-DIFA'A AL IJTIMAI DID AL-JARIMA* (THE ARAB REVIEW OF SOCIAL DEFENSE AGAINST CRIME, 1979).

In addition to conference contributions appearing herein, there are contributions by Professor Osman Abdel-Malek al-Saleh, Judge Taymour Kamel, and myself. Almost all of the contributions were in Arabic and were translated by Khalil Jahshan (M.A., Ph.D. Cand. Chicago) to whom I extend my appreciation for his laborious work. Upon translation, the manuscripts were edited three times by myself and my assistant John Evrard (B.A.; M.A.; J.D. DePaul, Member, Illinois Bar) to whom I extend my appreciation for his hard work and also for his assistance and support in many aspects of completing this project. Also to Rhiman Rotz (Ph.D., J.D. Cand. De Paul) who edited the first draft of Judge Kamel's contribution.

The typesetting was expertly done by Communica Inc. of Chicago, and I acknowledge the effective technical assistance of Didge Donovan.

The funding for the Conference was from the ISISC and the Muslim League, and for the translation, and other costs incurred in the realization of the book, funding came from the Institute of Crime Prevention, Ministry of Justice, Kingdom of Saudi Arabia. I therefore extend my appreciation to the Kingdom, the

Ministry, to His Excellency Ibrahim El-Awagi, Under Secretary, and Dr. Farouka Mourad, Director of the Institute. In addition I appreciatively acknowledge the financial assistance of the U.S. Arab Chamber of Commerce (N.Y.) and its Executive Director, Mohammad Baghal, and the Mid-America Arab Chamber of Commerce (Chicago), and thank its officers for their financial support which along with that of the Kingdom of Saudi-Arabia made it possible to make this book available to the members of the International Association of Penal Law in 68 countries of the world.

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