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**ABSTRACT**

**The Position of Islamic Law on the Theory of Social Defence**

*موقف الشريعة من نظرية الدفاع الاجتماعي*

In his introduction, Ahmad Fathi Bahnasi discusses the historical background of different doctrines (including the traditional, spiritual, established or positive, and reconciliatory doctrines) with regards to criminal responsibility and the theory of Social Defence.

Section one concentrates on the theory of Social Defence in Western Jurisprudence and discusses the views of Filippo Gramatica and Mark Ancel, the application of social defence measures, “the minimum program” of the International Society for Social Defence, the basic principles of criminal law, the theory of criminal law and a program for the development of criminal law.

Section two discusses the position of Islamic law regarding criminal responsibility. Bahnasi refers to the al-Jabriyya, al-Mu‘tazali, and al-Ashari schools of thought as well as Goldziher’s views. He also refers to punishments and preventive procedures.

Section three deals with “the minimum program” published by the Society for Social Defence in 1955 with respect to Islamic Law (refering also to the The Ivar Strahl Program which deals with realism and idealism).

Despite providing valuable information, Bahnasi does not explain the book’s aim and methodology. The book lacks a reference list for the information in the footnotes. Bahnasi does not properly cite the Qur’anic verses or Arabic works mentioned within the book. Finally, he has not carefully organised the information. The reader may struggle to find his or her way around the book.

Dahlia Sabry

Translated by Hugh Lovatt