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**ABSTRACT**

**Judicial Ideas**

*ان‍دی‍ش‍ه‌ه‍ای‌ ق‍ض‍ائ‍ی*

This book consists of a collection of responses by Tehran judges to 326 emerging issues in the country’s judicial community 1983–1989. This abstract is based on the third edition of the book.

In collecting the views of the judicial community, Yusuf Nawbakht aims to create judicial precedents about complicated contemporary issues. He also aims to portray the capability of the judicial system of the Islamic Republic of Iran. He attributes its flexibility in resolving legal impasses to Islamic principles and the spirit of the Constitution and the laws. Although the work introduces material in the Revolutionary language of the 1980s, the overall text overall adheres to the language of objectivity. Nowbakht has organised judicial ideas based on the subject matter and included the content of the laws, the opinions cited, and the references as subtitles. However, he notes only the dates and final results of the sessions and does not address how the opinions came about or the arguments of those present. In cases where there was not unanimity of opinion, he places the judges’ opinions in order of the consenting views they received.

Although the country’s judicial system is not obligated to follow these opinions, *Judicial Ideas* has become an important reference for the general ideas of Iran’s judges during the post-Revolution period. One reason could be that in the case of a great number of questions, the judges’ responses reveal a definitive consensus (199 responses out of a total of 326 questions posed). There is complete consensus in all issues that directly relate to Islamic jurisprudence, such as the age of legal maturity for filing lawsuits, sentencing for those requiring guardianship, inheriting from Bahais, and marriage between Muslims and non-Muslims. This, of course, contradicts the author’s goal of illustrating the flexibility of the judicial system. For limited and relatively unimportant cases in the chapter “The Relationship Between an Owner and Tenant”, sometimes up to four different opinions are expressed.

However, the fact that this book was written in the 1980s, considered a challenging decade for the Iranian judicial system, adds considerable value to this book.

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