**Development of Islamic law**

[Shayaan Wadood](https://www.nation.com.pk/columnist/shayaan-wadood)

August 22, 2023

[Opinions](https://www.nation.com.pk/opinions), [Columns](https://www.nation.com.pk/columns)

The Islamic Shariah Law is the study of the divine law of God and the religion of Islam. It is a law between Islamic states and non-Islamic states which clearly defines the boundaries of Islam in a Muslim country. The Shariah law has been existing since the birth of Islam. During the time of Prophet (PBUH) the law was followed and created to regulate the Islamic state, it was established with the thinking that in later time, Islam would be spread around the world, but with time there was a distinctive approach towards religion. Islamic Shariah law consists of four major sources known as Quran, Sunnah, Ijma and Qiyas.
It was seen that the Muslim states had developed the approach that there were two types of categories in the world: Dar-al-Islam, known as the territory of Muslims and Dar-al-Harb, known as the territory of war. Here the Islamic Shariah law established another concept of the law of nations, also called Siyar. Later on, jurists considered how the conversion of Dar-al-Harb to Dar-al-Islam was not by virtue of jihad. Instead, they agreed that it was to live with peace and harmony with each other and that is the time when Islamic Shariah law emerged for non-Muslim states.
The historical development of Islam played a significant role in the development of Islamic law where it could be seen in how, during the Prophet’s PBUH migration to Madinah, the majority converted into Islam and applied Islamic codes and conduct in their societies. During the lifetime of the Prophet PBUH, Islamic laws were considered as divine through the words of Allah by revelations. However, after the Prophet’s PBUH death, Hazrat Abu Bakr R.A was chosen the first caliph of Islam and through his reign, he handed it over to Hazrat Umer R.A who expanded the Islamic empire to many continents. After his death, Hazrat Usman R.A was appointed, during which the Quran was compiled in the written form and so the interpretation of Islamic law was considered much more distinct. After Hazrat Usman’s caliphate, Hazrat Ali R.A was appointed as the next caliph of Islam and at this point, a different sect of Islam was born: Shias. It was seen that Abbasids and Umayyads ruled the Muslim dynasty around the world where two more different school of thoughts had emerged known as Ahl-al-Hadith, known to only accept Quran and Sunnah as the sole sources of Islamic law and Ahl-al-Ray which stated how there should be a reason to exist Islamic law in state. There were known to be two types of sources in Islamic law called the primary sources of Islamic law (Quran and Sunnah) and secondary source (Ijma and Qiyas).
The Quran was not compiled during the lifetime of the Prophet PBUH, rather during the caliphate of Hazrat Abu Bakr R.A and Hazrat Usman R.A. The Quran was revealed to Prophet PBUH during his life and upon his death, the Qur’anic verses were completed and were used as a source of Islamic law. The Islamic law itself follows the Quran in few areas of law especially relating to family, succession and the law of marriage and divorce. The second form of primary source is known as Sunnah. Sunnah was basically how the Prophet dealt with the situation and was as important as the Quran itself as stated by Imam Shafi, and it was clear that Sunnah played a vital role after the Quran.
The secondary source of Islamic law is of Ijma and Qiyas. Ijma is the consensus of any decision laid by Muslims all together. This all rose from the hadith of Prophet PBUH where he stated that “my people will never agree on error”, Whereas Qiyas is the analogy and deals with human judgments. It is derived from the area of Islamic law but at the same time, makes sure that the nation law should be followed through Islamic jurisprudence. It can be stated that Shariah law governs the major area of Islamic jurisprudence and deals with the rules governed by Islamic states. However, the concept of latest rules and regulations is still a question of debate and it is seen that primary sources of Islamic Shariah law have shaped Islamic law in a distinct manner to provide justice and fairness for Muslims and non-Muslims states.