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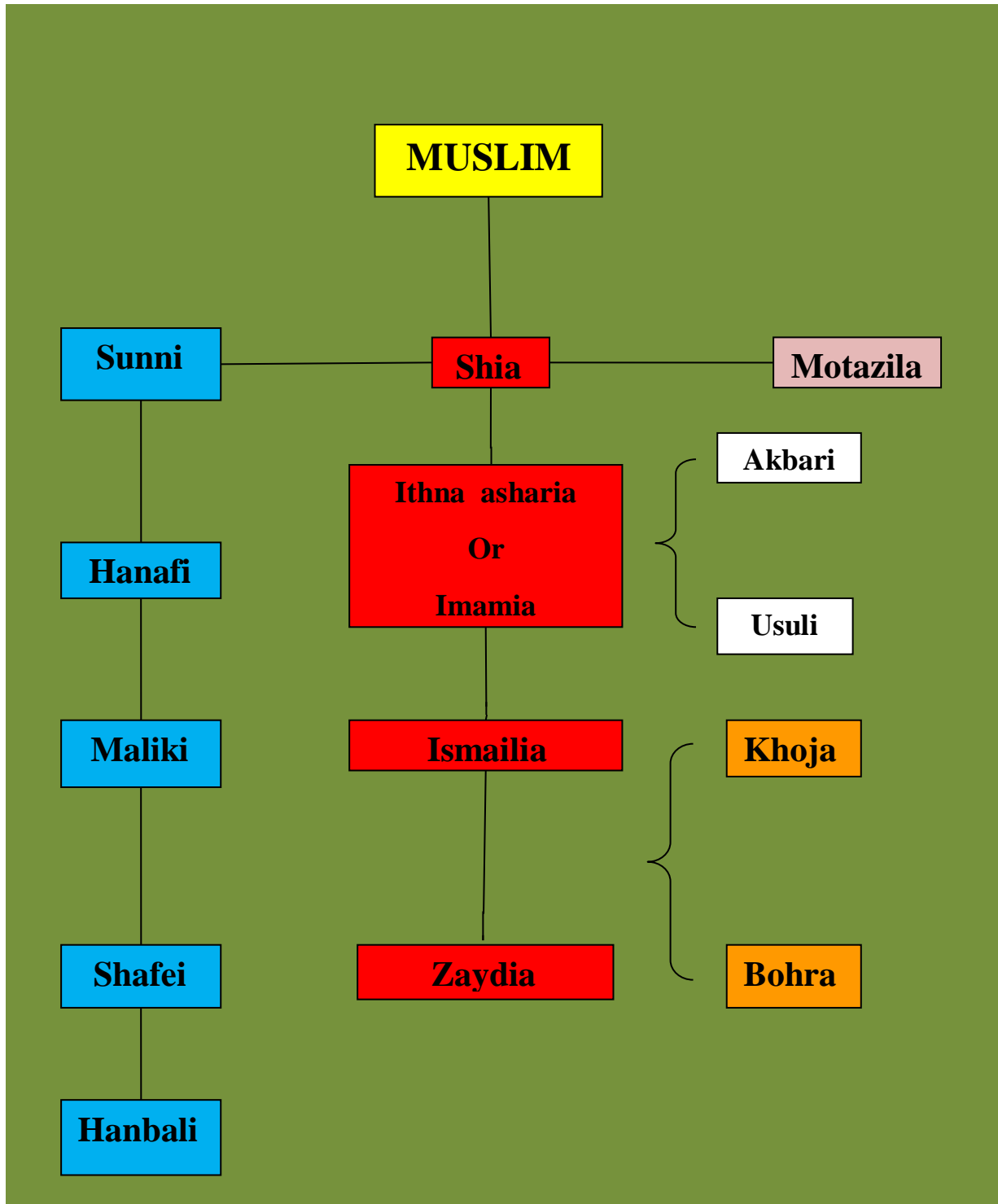
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B.A.LL.B. IV-SEM

MUSLIM LAW

BY

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DATE- 31-03-2020

Dear Students today our topic is **"Schools of Islamic Law"** now let see and understand that, How many schools in Islamic Law.

First of all we will see this diagram :-

SCHOOLS IN ISLAMIC LAW

Islamic Family Law (IFL), which includes all matters of inheritance for Muslims, is an integral part of a rich, complex and highly sophisticated system of Islamic jurisprudence (commonly known as the Shari'ah), called 8th and 9th. May be traced to the date. Centuries CE significant religious and jurisprudential differences existed not only from the beginning between Sunni and Shia Muslim jurists, but also between different schools of thought from each tradition, and indeed within the school of the same ideology .

Early jurists not only acknowledged serious disagreement and dogma, but in fact described them as the grace of Allah (God). It is true that those jurists probably believed that there should be a valid interpretation of the Qur'an and Sunna (traditions of the Prophet), based on the principles of the Shari'a. But it is also true that they could never agree on those principles, or accept a set of criteria and institutional mechanisms for formal determination of the principles of the Sharia.

Since that initial phase, Islam gradually spread around the world, with various schools and jurists having influence among Islamic communities. For example, the Shafi'i School may displace the Maliki School in one area, and may be displaced by it or the Hanafi School in another. The fact that the same school prevails in many communities does not mean that they all follow the same specific lines of judicial thinking within that school. Factors that have contributed to the diversity and complexity of islamic family law theory and practice in Islamic countries and communities include: the prevalence and timing and methods of Islam in various fields, and how it evolved over time; To what extent was the Sharia traditionally implemented and how and when it was displaced by European codes during colonial rule; Inequalities in the level of social and economic development of various Islamic communities.

Now let see the schools in detail :-

There are two major schools of Muslim law. They are:

1. **Sunni School**

2. **Shia School**

However, a third school, which is a minority sect exists. This school is the Motazila Sect/School of Muslim law.

The Sunnis are divided into four sub-sects, namely, the Hanafis, the Malikis, the Shafii and the Hanbalis. The Sunni Mahomedans of India belong principally to the Hanafi School. In the State of Jammu and Kashmir, majority of Muslims belong to the Sunni Sect.

The Holy Qur'an, Tradition and Ijtihad are the three main sources of Islamic law which govern and regulate all aspects of a Muslim's public and private life. These laws relate to religious worship, prohibitions, and all contracts and obligations that arise in social life such as inheritance, marriage, divorce, punishments, conduct of war and the administration of the state.

The science of these religious laws is called *Fiqah* and the expert in this field such as a jurist is called a fiqh (plural: fuqaha).

We read that Ijtihad, or practice of judgment, is a valid source of Islamic laws in areas where the Holy Qur'an and traditions are not clear, but the practice of this independent judgment can only remain in the hands of the proper scholars of the Holy Quran and Tradition.

The vast majority of Muslims only give the right to independent reasoning to four ancient Muslim theologians and jurists who lived in the first three centuries of Islam. These four are:

1. **Imam Abu Hanifa of Kufa**
2. **Imam Malik bin Anas of Medinah**
3. **Imam Muhammad al-Shafi of Medinah**
4. **Imam Ahmad bin Hanbal of Baghdad**

Note- Now tomorrow, we will discuss on Hanafi school.

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