

CONCEPT OF LAW GIVER IN ISLAM

GHULAM ABBAS BALOCH, ASGHAR ALI SHAH

and

ALAM SHER KHAN

Law College, Gomal University, Dera Ismail Khan

ABSTRACT

The work below has proved from different authorities and analytical discussion that in Islam there is no Law Giver but Almighty God and His Prophet Muhammad (Peace be upon him).

It is admitted on all hands that "according to Islam, the real source of authority rests with Almighty Allah. In ideal of Islamic Jurisprudence every one except God, but including the Holy Prophet (Peace be upon him) and all the ruling authorities in this World, is subordinate to Divine Law. The Law which emanated from Divine Revelations."¹

Islamic Law, irrespective of the variety of its sources wells up from the only fountain i.e. the God Almighty. Islamic Law, nevertheless aims at discovering and formulating the Will of God. His Will is not, and should not once for all be defined as a static system, rather comprehends all sphere of man's life and is progressively unfolded. As Islam gives guidance in all walks of life, FIQAH, the Law of Islam, as developed from the very beginning takes in with special care and caution, the religious, Social, Economic and Political aspects of human life. That is why acting according to the Islamic Law is, in all circumstances deemed to be fulfilling God's Will. This Islamic Law is a complete manifestation of God's Will.²

According to Muslims, SHARIAH is that which God has promulgated through His Prophet (Peace be upon him). Consequently first and Chief Law Giver is God alone who revealed the Islamic Shariah including the Religion and the legal system to the Holy Prophet. All the Imams of the Muslim Schools of thought are unanimously in tune with each other with regard to this fact that the Glorious Quran is

1. Hassan, A ; The Early development of Islamic Jurisprudence, Islamabad, 1970, p. 33.

2. Ibid. p. 33.