

## THE IMPACT OF BRITISH RULE ON SHARIAH LAW

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### ABSTRACT

The paper examines the British policy towards the personal laws of the Indian Muslims. The study discusses certain Acts in chronological order which affected the personal laws. The paper concludes that the interference by the British rulers in the personal laws of the Muslims was followed by the loss of political, social, educational and economical condition of the Indian Muslims.

### INTRODUCTION

The traditional Muslim law in British India, in the early stages of British rule was unimpaired by foreign intervention. Gradually, however, at the end of the eighteenth century when the British East India Company became more involved in the political and legal life of the country, initial interference came in 1772 with Warren Hasting's re-organization of the court system by which British law was applied in the Presidencies [1]. This process continued until the latter half of the nineteenth century, when the application of Muslim law was narrowed even further by the enactment in 1862 of the Indian Penal Code and the Code of Criminal Procedure. Moreover, portions of the Civil Code were also codified. As a result of such measures, the Islamic law in the Indian subcontinent, as had happened in the Middle East, came to be restricted to the domain of family law [2].

Warren Hasting was fully convinced that the success of any system of law depended on how far it was consistent with the manners and usages of the people among whom it had to work. Consequently, the Qazis and pandits were appointed to assist the English judges. But as soon as the English judges got confidence over