Hasan, Ahmad. *The Early Development of Islamic Jurisprudence*. Islamabad: Islamic Research Centre, 1970, 232pp.

**ABSTRACT**

**The Early Development of Islamic Jurisprudence**

This book by Ahmad Hasan describes the evolution of the science of *fiqh* (Islamic jurisprudence).

Chapter one describes how *fiqh*, as the exercise of one’s intelligence and personal thinking, was narrowed down to signify jurisprudence as Islamic teachings became codified, and how the contemporary concepts of *‘ilm* (knowledge), sharia (God’s path for humankind) and *din* (basic beliefs) went through a similar transformation.

The next two chapters provide a background of the four schools of thought (*Maliki, Shafa‘i, Hanbali and Hanafi*) and the sources of information (the Qur’an, sunna, hadith, *ijtihad* (independent interpretation) and *‘ijma’* (the unanimous agreement of the jurists of the community of a particular age on a certain issue) in *fiqh*. In chapter four, the author discusses the role that various theories on *naskh*, the replacement of previous Qur’anic *ayat* (verses) by new *ayat,* played in the development of *fiqh*.

In chapter five, Hasan refers to the works of the jurists al-Awza‘i, Malik, Abu Yusuf and
al-Shaybani to highlight how sunna, which originally meant “social practice”, came to signify the Prophet Mohammad’s conduct in *fiqh*. Hasan highlights how *bid’a* (innovation) and *fitnah* (general corruption) created difficulties in categorising true and false hadith and how certain *ijtihad* and *‘ijma* helped jurists in these situations.

In chapters six and seven, Hasan returns to the discussion of the sources of information in *fiqh* that he began in chapter three. He discusses the evolution of *ijtihad* in relation to the changing conceptualisations of *ra‘y* (personal opinion), *Qiyas* (analogical reasoning), and *‘ijma* with reference to regional specifications. The final chapter elaborates on the role of the al-Shafa‘i school as a turning point in developing concepts such as *ra‘y, Qiyas, ‘Ijma’* and *Istihsan* (arbitrary opinion) into separate fields of inquiry in *fiqh*.

The book presents a holistic discussion of the development of *fiqh*. However, the complete picture is obscured, as it is unclear how the sources of information developed individually. Nevertheless, the book carries an extensive bibliography and is a rich resource for both new and advanced students of Islamic jurisprudence.

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