



Marriage: A Textbook on Jurisprudence According to the Five Schools of Law

Allama Muhammad Jawad Mughniyyah

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This work on the Shariah or Islamic Law offers a comparative study of the Divine Law that, according to authentic Islamic doctrines, embodies the Will of God in society. In the Islamic world view, God is the ultimate legislator. The five major schools that are used in the comparison are: Hanafi, Hanbali, Shafii, Maliki and Jafari. The unity of the schools becomes apparent, but it is perhaps the differences that are of the greater interest because it shows two important facts: first of all, how open the Law is to a variety of views and, secondly, whereas the Hanafi, Hanbali, Shafii and Maliki schools have been separated from the Jafari school for political reasons throughout Islamic history, the Jafari as often as not agrees with the Hanafi or Maliki schools, for instance, while the Shafii and Hanbali as often as not differ. It is from this diversity of interpretations of the Law, interpretations which are base on the Quran and the Sunnah, that unity develops when each diverse group is willing to concede the possibility of the other s interpretation when it is based on the same two sources. Marriage is one of the two social issues in the Shariah or Divine Law. The other is divorce.

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