



# **The Origins of Islamic Law: The Qur'an, the Muwatta' and Madinan Amal (Culture and Civilization in the Middle East)**

*Yasin Dutton*

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If the Qur'an is the first written formulation of Islam in general, Malik's *Muwatta'* is arguably the first written formulation of the Islam-in-practice that becomes Islamic law. This book considers the methods used by Malik in the *Muwatta'* to derive the judgements of the law from the Qur'an and is thus concerned on one level with the finer details of Qur'anic interpretation. However, since any discussion of the Qur'an in this context must also include considerations of the other main source of Islamic law, namely the *sunna*, or normative practice, of the Prophet, this latter concept, especially its relationship to the terms of hadith and amal (traditions and living tradition), also receives considerable attention, and in many respects, this book is more about the history and development of Islamic law than it is about the science of Qur'anic interpretation. This is the first book to question the hitherto accepted frameworks of both the classical Muslim view and the current revisionist western view on the development of Islamic law. It is also the first study in a European language to deal specifically with the early development of the Madinan, later Malik, school of jurisprudence, as it is also the first to demonstrate in detail the various methods used, both linguistic and otherwise, in interpreting the legal verses of the Qur'an. It will be of interest to all those interested in the underlying bases of Islamic law and culture, and of particular interest to those involved in studying and teaching Islamic studies, both at undergraduate and research level. It will also be of interest to those studying the relationship between orality and literacy in ancient societies and the writing down of ancient law.

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