

History of law, Islamic law



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Brief outline of the history of law



- **Ur-Nammu**, king of Ur – the earliest law book that was written (2100 B.C.)
 - ✦ consist of casuistic statements („if... then...“)
- **Hammurabi**, king of Babylonia – enumerated laws of private conduct, business and legal precedents (1760 B.C.) :
 - ✦ „an eye for eye“
 - ✦ punishment for adultery by a wife X husband
 - ✦ unequal treatment of the rich and the poor



- **The Torah** (from the Old Testament) – probably the oldest body of law still relevant for modern legal systems (1280 B.C.)
 - ✦ Moral imperatives = principles originating inside a person's mind that compels that person to act (Immanuel Kant – categorical imperative)
- **Ancient Athens** – 1st society based on broad inclusion of the citizenry (excluding women and slave class)



- **Justinian Code** – the 1st law system, codification of all classic law ordered by the Roman Emperor Justinian (528-534 A.C.)
 - ✦ most of the legal systems of most European nations are based to this day
- The principal source of American law is the common law – roots among Angles, Britons and later Saxons in Britain
- **William the Conqueror** – combined the best of the Anglo-Saxon law with Norman law → English common law

Islamic law



- = **Sharia** (ways of life prescribed by Allah for his servants, provides the means to resolve conflicts among individuals and between the individual and the state)
- Textual source:
 - **Qur'an** = principal source of Islamic law, contains rules by which Muslim world is governed and forms the basis for relations between man and God, between individuals,
 - **Sunan** = precedents laid down by the Prophet, inspiration from Allah
- The sunnah confirmed the rulings of Qur'an

Summary



- Legal history is closely connected to the development of civilizations and is set in the wider context of social history



Vocabulary



- **Adultery** = sex between someone who is married and someone who is not their wife or husband
- **Treatment** = a particular way of behaving towards someone or of dealing with them
- **Rules of conduct** = the way someone behaves, especially in public, in their job etc.
- **Roots** = the origin or main part of something such as a custom, law, activity etc., from which other things have developed
- **Citizenry** = all the citizens in a particular town, country, or state
- **Prophet** = a man whom people in the Christian, Jewish, or Muslim religion believe has been sent by God to lead them and teach them their religion; Muhammad, who began the Muslim religion
- **Servant** = someone, especially in the past, who was paid to clean someone's house, cook for them, answer the door etc, and who often lived in the house

Sources



- UNIT 2 in Chromá, Marta, New introduction to legal English, Vol. I, Univerzita Karlova, 2009
- www.historyoflaw.info
- www.ldoceonline.com



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