

THE IMPORTANCE AND NECESSITY OF LAW IN ISLAMIC COUNTRIES

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ABSTRACT

The term law is derived from the Arabic word "measurement". Some scholars define it as literary, meaning that it is derived from the Greek word *conon*, which is applied by ruled or authorized horizon administrators. The law has a compulsory aspect, and its aim is to make things organized and cohesive. The law is the second source in Islamic countries, and vice versa, it is the first source in non-Islamic countries. Besides its definition, the law is the basic backbone for the development, prosperity, and relationships among people in society. In addition to the aforementioned importance of the law, it is also proven that it makes you submissive to Almighty Allah, which is mentioned in the verses of the Holy Quran, which state that it is called for Muslims who accepted Islam to be obedient to Allah and the messenger of Allah, Hazrat Muhammad (PBUH), and the Imam who leads you. It is widely accepted and found that society can survive and maintain its regulation without law; besides, if law does not exist, there should be monarchy, and disorder in society would definitely be caused in order to avoid any harmful causes. Therefore, the law is vitally important for any nation and state, but it is exclusively important for Muslim countries if it is in the light of Sharia with its principles, regulations, and holy beliefs. The compatibility of laws with Sharia law is mentioned in the constitution of the Islamic Republic of Afghanistan in the third article; therefore, it is proved that laws are compatible with Sharia law, so acceptance of its regularity is compulsory for all Afghans.

Keywords: Law, significance, necessity, Islam

INTRODUCTION

The law is back bone for the development and organized society which consisted success, development, civilization, peace and prosperity for society is fundamentally needed for the mentioned things, therefore we need to have law if not , so society will face many problems regarding peace, satisfaction, development and prosperity would be definitely neglected and depriving bra placed however the law and Imam or leader is existed from the primitive era in any religious , faith, political

structures which had great influence at any aspect A the society.

The laws are regulated in the light of condition and situation, which can differ in comparison to religion, faith, culture, geographical locations, the climate, and national honor and pride, but the primary law that emerges is from the side of Almighty Allah and the core principles for societal humanity, by which it is leaded upon instructions and guidelines from messengers of Allah.

The sharia law is sent to humanity upon its general description of human being needs and conditions to live with it but Almighty Allah permitted human being to regulate and make the laws on behalf of conditions and situation to solve the issues besides some of them had not been accepting Islamic law and they preferred the made laws by themselves however Allah made the Quran compulsory for solving the disputes and issues and sent Muhammad (PBUH) for the success of people in the eternal and mortal life as well as the instructions and trends are paved on behalf of Muslims to live without any fear and terror thus the Sunnah of Muhammad (PBUH) is interpretation of Holy Quran and second source for issues reference of solutions.

Some Islamic scholars believe that there is no need for laws, and it is justified by the fact that Islam is a complete religion and there was no law regulated and applied in the tenure of Hazrat Muhammad (PBUH), therefore the laws are useless to exist in Islamic society except Sharia law and vice versa. The other scholar believed that there was no need for legislation because there was Mujtahid for proper solving the issues from intellectual thinking and thoughts in order to judge with accurate justice. Thus, the issues and cases were solved based upon Quranic verses and Hadith, and the other issues remained open for scholars to do judgment over the interests of people but conditionally should be compatible with Islamic principles and Sharia Law. Afghanistan is the state in which Sharia Law and other laws that paved the procedures are applicable; therefore, it was believed that the era of Hazrat Muhammad (PBUP) and the Khalifa's focused the judgement of people on honesty, free of any interests, and based upon Quran and Hadith, but the era of recent times has been changed on behalf of justice and avoidance of any self-interest regardless of relationship or misuse of power. In order to consider the above theory of practices, there should be no contrary among the made laws and sharia law along with its principles, commandments, aims, non-acceptance, and beliefs.

The Quran repeatedly says obedience to Almighty Allah, the Messenger of Allah, and the ruling one who leads you under his or her disciples. The above verses are conceptualized by Islamic scholars as meaning the laws that are made by ruling authorities; therefore, it is proved that Muslims need the laws

along with Sharia law. If yes, the laws should be compatible with Sharia law and principles, or not. If yes, then is it a reality that the Afghan laws are derived from Sharia law and well-considered in any aspect? The important question about the law acceptances is whether they are a must for consideration or not. Are Afghan laws under the command of the ruling leader or not? Is there any criticism of Afghan laws? What is the solution to the criticized problems?

RESEARCH OBJECTIVES

The acknowledgement and precise introduction of the law, objectives, aims, classification, historical background, and information

The legislation of law in the light of Sharia and Hadith is needed and important.

The considered points need to be focused on in the procedures of its making process, which reflect the interests of people and the principles of Islam; however, these are fundamental norms that are followed under the faith of Muslim legislature power.

The current laws are criticized for amendments and forwarding corrections.

Significance of Research

the creature of Human being is differed from any creature, Almighty Allah Instructed creature on behalf of their wisdom and instruction such as after the delivery of dire offspring can make itself on feet ready and running for it mother readily but vice versa the creative nature of human being is likely to differentiated the bad and good points, the harmful and non-harmful and the legal and non-legal things for better acknowledgement and consideration, therefore the human being from the birth needs the vigilance of mother in order to grow up at future despite it is obvious that child without mother cannot survive and put his/her self in dangerous situation if the mother doesn't care her children so on, therefore the human being and its creature need to live under the rules and regulation and the structure for them are considered in made laws by legislative power which is helping to avoid the monarchy and disorganized situation and without the rule of law society cannot get development and prosperity so I consider the article important for acknowledging the orders of

Allah and it is also important for societal improvement.

PROBLEM STATEMENT

As the country likewise Afghanistan where most of people are Muslim by statistically more than 99 percent who are believing Islam and its jurisdiction principles by the having strong faith of the people upon Sharia law but vice versa and unfortunately there are some of people is not giving importance to the laws and its acceptance even though the rest of people deny this phenomenon by the contrary to sharia law also it is out of Islam debate and controversy fortunately Islam has selected extensive way and structure that are cover off widely thus Islam allow the Islamic leader and Imam to decide the issue in the light of condition and situation where the issue are meeting the requirements whereas some of issues and condition need for Islamic law in order to execute its commandment and orders but unfortunately some of wrong awareness and rumors make the concept difficult for the laws exclusively in Afghanistan which is main obstacle and hurdle for its clarification so I would like to question that is there any practically and Islamic ally need for law? Despite whether Sharia law exists or otherwise not? If yes, is the acceptance of its order and commandment by Sharia law or otherwise not?

Optional Justification and Reasoning

As I am kept in touch with the field of law by which I perceived that there should be necessity of legislation and made laws despite of Sharia Law in the light of its presence which can ensure the societal cohesion, satisfaction, development and construction possibly, but some of scholars and people insist on, there should be no need for made laws because Quran and Hadith is covering the whole aspect of issues however it is prohibited and not allowed if the issue can be referred to Sharia law, therefore I understood comprehensively that there is necessarily need for the laws are made by legislatures and its importance which I accomplished the research on aforementioned issue for the readers thus I aimed to clarify the criticism and answer it through my research which is obligation and heavily needed for clearance.

RESEARCH METHODOLOGY

The research has been completed by the librarian method, and reliable sources are utilized and derived. However, the questions are answered accurately, and additionally, the ground and field methods are also used. The seventh question is written and managed in order to get answers through many discussions and consultations with the judges, attorneys, and lecturers of the Sharia faculty, political science faculty, public administration faculty, and economics faculty. Thus, some of the scholars' opinions are also collected and categorized by the percentage in the answers. For more clarification of the topic, which is generally conceptualized for acknowledgement, and secondly, the origin of the topic, which is researched upon the necessity and importance of law.

Introduction to Law

The term law is derived from the language of Greek, which means "konon" (After it, the name of the meaning changed into Arabic, which means writing and rules, thus the law of Rome, which is alternatively named "lex," also in the law of France, which is named "loi," meaning reading or writing and reading. The term law is defined as the general regulation of society that is executed by the state, which is called law, or the law managing and enforcing relationships and interactions between people, whether high or low class, is also considered law, which is also called law. Law is regulated and legislated by a powerful entity with enforcement, obligation, and obligation.

Characteristics of Law

In addition to the aforementioned definition, its recognition is more difficult than understanding completely law; therefore, some characteristics are identified for law below:

Aspect of law enforcement and compulsory: Law has two main characteristics: it is enforced by the executive power of the government and secondly, it is executed by order.

Direct usage of law: Whenever law is resolved by parliament, it is ultimately approved by the president of Afghanistan, which makes it compulsory for the court to proceed with it and shape its execution by the executive power of the government.

The regulating authority's implementation-ensuring aspect of the law: Every regulation that is not assured

by executive power is called no regulation for enforcement.

Generalized aspect of law: Every regulation is not targeting specific people as well as specific areas for its execution, but law execution is covering overall territorial surrounds, so the people are imposed to accept the rule of law by any means, even though foreigners are not excluded from law enforcement because there are exceptional cases for law enforcement in favor of foreigners, which are not important enough to mention now.

Law has a variety of classifications, which is being not mentioned here because they will be obviously described in the next session of writing notes.

The law is regulated by articles and segments.

The law is regulated and enforced by the powerful authority discussed in the above definitions.

The law is impartial.

Law is based on, proved, and managed by sequence, and it is not an ordinary article to read. However, law generates rules and regulations, whereas there are below-listed procedures for approval.

The drafting process, resolution process, approval process, publishing process, postponing process, and eventually the process of implementation, which is not well described here, The law should be in written form: As mentioned earlier, the law needs to be published in the official plate form, which is in written form.

The articles and materials should be described and cleared.

The law should respond to every aspect of society.

The law should be neutral and impartial.

The law should bring justice and societal cohesion.

Law has the characteristics of enforcement and compulsion.

CLASSIFICATION OF LAW

As mentioned in the beginning of this research, law has different divisions based on classification and other causes, but here it is in accordance with law and political science faculty and basic rights subjects, whereas as sources of reference for law division, which are: Constitution, organic law, ordinary law, and besides those, we have another legal document, international treaties, ordinances, and presidential decrees, and there is no need for explanation in this.

Necessities, Importance, and Obedience To The Law

Meanwhile, the points mentioned above have a close relationship and are linked to one another. Law is important, like the spinal cord of society, which is lucrative to maintain body movement; similarly, the cohesion of society depends upon the structuralized foundation of prosperity, which is only law; therefore, society and social affairs without law cannot proceed with their core values and maintenance, so I would like to mention the history of human society and the law's necessity for it. Whenever Allah commands Malaki to create a leadership and the system of Khalifah on earth, which is narrated in the holy Quran as well, Whenever Almighty Allah ordered Malaks, they were determined to create and emerge Khalifah and vice versa. Accordingly, the mentioned verses of the Holy Quran said that Adam had been born twice on earth, but Adam had been born in paradise, which is also mentioned in the Quran. Here is a question: Adam had come to the earth as a Khalifah, but God ordered him to live in Paradise; therefore, what should we aim for?

As I, the author, think that Allah decided this matter by the below aims,

First of all, to expose that lawful things are more than unlawful things, to acknowledge the lawful and unlawful things, and to live in society under law and orders, which means that life without law and orders cannot be possible. If the orders and law acts are not followed, punishment would be reflected, so society without law social cohesion cannot reach development and prosperous ways, thus creating a comprehensive understanding that paradise is much more developed, which is compared to the possible development of the world by hard work and law enforcement. The laws are developing for the right direction, instruction, and living with cohesive approaches. Besides those, human beings created a council for the legislation of the laws, which we will discuss later on. The laws made by the council and imam are flexible based on society's situation, needs, and necessities for interchanging, which are regulated by the government on a daily basis and the current machinery of governance structures.

Another important issue that is considered is that without law and final conviction of someone by court, there is no space for any justification in Islam

to convict someone without law and trail accordingly. Hazrat Omar Farooq says that Islam is not allowing to announce the testimony of conviction without the trail of court. As we are reaching the exact point that the political system of Islam is given power to only law, then government is benefiting from the power of law; if the law is not narrating for enforcement and writ, then government is useless. Therefore, law power is prior to the power of an existing government, and vice versa, government is originating from law's existence and having natural relations with each other. Whenever law is completed through the legislative process, it needs to be enforced unless it is considered useless, but unfortunately, the opposite opinion from the side of public perceptions is that law has no importance, contrary to Sharia law, which is wrongful and needs to be considered for its implementation in order to uphold justice.

The government is obligated to follow laws, and decisions should be made on behalf of a law-insisted proceeding in which societal cohesion is assured and possible. States without laws are not seen in the world, which do not have any legislative power, whereas Almighty Allah sent His messengers in the right direction to differentiate Halal and Haram, bad and good, and advantageous and disadvantageous things. However, law is important for every time, every place, every society, and every political system. With the existence of Sharia law, is there any need for laws or not? Accordingly, I have taken public and academic opinion from around 150 scholars, including judges, attorneys, and lecturers of political science and sharia faculties, and categorized them by percentage into positive and negative responses.

1) Positive comment: accordingly, necessity of laws in accordance with sharia law 2) Negative comment: accordingly, there is no need for laws with the existence of sharia laws.

Positive notion: the states or countries having the notion for need of laws	Negative notion: the states or countries having the notion for no need of laws
95,33%	6,66%

POSITIVE PRO NOTION REASONS

Discovering the cases from the Holy Quran and Hadith requires a high-quality understanding of knowledge, but for Islamic scholars throughout the territory, this is impossible work. Sharia law covers general and fundamental issues in consideration of societal needs and situations; therefore, laws are needed to concentrate on the conditions and current affairs of the people. As needs differ from society to society, defending the interests of people in order to have differences, there should be laws accordance with needs and necessities. Likely, some countries are exporting raw materials and the rest are importing. Also, some states have strong economies but others have weak economies, so Sharia law has made some issues crucial, but some Imams and leaders have the authority to make laws except Hadd, retribution (Qisas), and blood money (Daeet), but Tazirat (discretionary punishment) can be amended and renewed accordance with the situation and needs of the society.

Besides the aforementioned reasons, there are differences in the geographical climate, surroundings, expansions, population, and possibilities, so based on these, there should be laws along with Sharia law, for example, traffic affairs law. Additionally, some issues need legal expertise along with Sharia law narratives, such as the example that people cut dates in the era of Hazrat Muhammad (PBUH), so the product decreased, so Prophet Muhammad (PBUH) gave the people of the area the option to do whatever they could on behalf of services.

Another important aspect of Sharia law is its implementation until doomsday, which also comes with changes. Therefore, Islam is focusing on general issues and fundamentals, so optionally, there should be laws and ijtihad endeavors for identifying the current cases in a solution-oriented manner. Islam has specifically nominated orders that don't need any permanent changes, but some of the issues are controversial among scholars. Strong and weak hadith need acknowledgment in order to follow the strong ones, which are brought with multiple decisions, and the judiciary system, for the purpose of it, needs laws and legislation.

NEGATIVE ANTI NOTIONS

Opposite scholars are reasoning for no need of law, which is proven by the verses of the Quran that Allah says: Today I have completely handed over Islam and faith for you. So opposite scholars have also insisted that if Islam is completely conveyed among Muslims, there is therefore no need for law. Thus, another reason is quoted in the Hadith of Hazrat Muhammad (PBUH) that two things remain: the Quran and the Hadith. If you follow and accept them, you will never be derailed from the right path of faith. Accordingly, Quran and Hadith will never be the opposite of laws, but laws are reminded many times in Quran and Hadith, so Quran has verses for the obedience of the Imam, which are narrated by the Islamic history that Maaz Bin Jabal had sent to Yemen. Meanwhile, hearing of Ijtihad was a happy moment for Hazrat Muhammad (PBUH). With due respect for scholars' opinions, the majority are accepting laws in the light of Sharia law and not contrary to Islam.

Importance of Law

The sources for general rights are, firstly, Islam and, secondly, law in the Islamic states, and vice versa, law in the non-Islamic countries. As we are Muslims and Afghanistan is an Islamic country, which is mentioned in articles first, second, and third of the Afghan Constitution,

Article 1 of the constitution of Afghanistan states that Afghanistan is independent and not a fragmented Islamic republic state. Article 2 declares that the Islamic Republic of Afghanistan believes that practice is holy Islam and other believers are independent in their practices under the jurisdiction of Afghan laws. Article 3 states that no religion or believer can come up with practices contrary to Islam and faith.

As mentioned in the above articles, laws should be compatible with Islam and not allowed to contradict Islam's orders and commandments; therefore, questions are raised about their sacking.

What is an important measurement of law, or how important is law?

Are the laws of the Islamic Republic of Afghanistan compatible with Islam or not?

By which method should the laws be made in accordance with and similar to Sharia law?

What is the order for acceptance of Afghan laws in the light of Outran and Hadith?

Are the orders accepted and obeyed by the law under Imam?

The above fifth question is researched under the method of librarianship in order to find answers, and secondly, the method of ground research will also be used with due respect for the opinions of judges, attorneys, lawyers, and lecturers of Sharia and law faculties in order to find answers. Law is important for the development of society because it assures societal needs and disciplines, but if law does not exist, there should be disorganization in social affairs. As exemplified by its importance as oxygen for the body, law also has the same importance. As Quranic verses are quoted for understanding the importance of law and likely the obedience to the decisions of the leader and imam, In Hadith, there are eligible figures for obedience and acceptance of orders and writ: the imam and leader, who should be treated as obligations of our faith and belief.

Testimony for perceiving law's importance is narrated by a prominent scholar, namely, Ibn Hajar Asqalani, who says that every Imam who is deciding the issues and cases with justice is also the envoy of Hazrat Muhammad (PBUH) in order to follow the rules of Islam and the trend of Hazrat Muhammad (PBUH) for equal justice.

The above reasons are justified for the pro-law's existence, importance, and need to find justice and societal cohesion in accordance with having compatibility. Sharia law, however, is an obvious realistic approach toward law enforcement by government machinery; therefore, the ideas are collected through the active sharing of attorneys, judges, lawyers, and lectures of sharia and law faculties such as Nangarhar law professors, Altaqwa private institute professors, Ariana private institute professors, and Alfalah private university professors. Law and Sharia professors are included in favor of pro-law legislation.

PRO IDEAS AND REASONS

Pro for Afghan law under order acceptance	Anti- for Afghan law under order acceptance	Silence in which questions are not answered
73,33 %	10 %	16,66 %

As the ideas are collected from law scholars, having the laws compatible with Sharia law, which is also mentioned in the third article of the Afghan constitution, quoted below, In Afghanistan, no laws can exist that are contrary to Islamic beliefs and practices, so the articles 1 and 2 of the criminal code can meet and deal with each other. Discretionary punishment (Tazirat) and Haddood, retribution (Qisas), and blood money (Daeet) are applicable by Sharia law; therefore, it is exposed that laws are made based on compatibility with Sharia law and used as an alternative, which likewise finds no jurisdiction.

ANTI- IDEAS AND REASONS

The opposite scholars lack of need for laws ultimately shapes their lack of acceptance of orders and commandments as well. Now, it is time to find an answer: is the law in every situation a compulsory obligation or subject to any specific condition? The research is followed by the librarian method and the ground method, respectively. As I mentioned earlier, for justified reasons, orders and commandments from leaders are obligated, but they should be compatible with Sharia law.

Hadith: Hazrat Muhammad (PBUH) was sending a convey, meanwhile insisted on Ashaab that be obedient to Imam and Aimer, and Abdullah Ibn Khazafa, who was the leader of the convey, became upset and said to the people of the convey, "Have you remembered the speech of Hazrat Muhammad (PBUH) about obedience to Aimer?" Ashaab said yes, so he ordered that they collect wood and burn it when the fire became hot, then ordered to them, "put yourselves into the fire." So people became astonished and told that we were escaped from the fire, then the fire was becoming cool, so the aimer attention had been diverted, therefore the story had been reported to Hazrat Muhammad (PBUH) and he said the below Hadith:

If you enter into fire, then you will never come across obedience, but obedience should be upon doing the lawful things and avoiding unlawful things.

According to the above Hadith, every act of law should not be contrary to the principle of Islam, and the Imam should also concentrate on the interest of people and getting them benefited. Therefore, the statistics of the research show that around 100 percent of people agree that laws should be made in

the interest of people and protect them from any detrimental approaches that put them in harmful situation.

Let's come to discuss the questions that are raised: Who is making laws? How many methods are used for the making of laws in Islamic countries? Which procedures and principles should be followed in the making of laws, thus creating obligations overall?

If sharia law sources like the Quran, Hadith, Ijma (consensus), and Qiyas (analogy) exist, what is the need for laws anyway. It is discussed early in the research, but what are the basic requirements and methods for making laws.

Some of the orders in the Sharia law have extensive explanations that don't need others; others are likely shirk and infidelity, which are the biggest crimes, or issues related to the beliefs and worship mentioned, such as killing, fornication, rebellion, and so on.

Other orders are specifically haddood, retribution (Qisas), blood money (Daeet), and atonement (Kafara) which are directly mentioned in Sharia law. Some of these orders have been mentioned in Hadith generally which were revealed on Hazrat Muhammad (PBUH) from them side of Almighty Allah.

Some of the orders have not been mentioned but were mentioned for clarification of the cases; therefore, Majtaheedin tried their best to address the issues for solution and they are allowed to follow their own expression of thou hit in the light of Islamic studies. The conclusions of the above discussions are exclusively for the acceptance of laws that are compatible with Sharia law and have no contrary points with Islam. The greatest law-making process in accordance with Sharia law follows three main methods:

The orders brought by Sharia law, which doesn't need any amendments or interpretations, are applicable as state law, so is it possible in the making of law? But it is possible if the below two methods are followed:

Sharia law is found in the national languages, as law has sequences and articles resolved that are compulsory to follow in the Islamic states.

The court and political system should follow the principles of Islam in the decision-making process.

As the author thinks, the first opinion is right in order to regulate laws in accordance with the Hadith and Quran. Due to a lack of knowledge in Islamic studies

and difficulties with the Arabic language, courts and overall administrative structures cannot meet the requirement in order to completely practice addressing issues and cases.

To end the problem of lack of knowledge about Sharia law, therefore, get involved the lecturers of sharia and law faculties, scholars of madrassa, council of Islamic studies and research, and muftis in the making process of law who can draft the law, and I called upon the nation to elect the parliament representatives who have at least the skill of how laws are going to be legislated.

Sharia law doesn't have any comment or description on cases, whereas the two ways are identified by the usage of the following methods:

The option and selected opinion should be given to the judges and courts to have their own perspective regarding which one can be prioritized.

The written form of laws is also applicable.

Separating Faqih's thoughts is needed to choose the ones for court trial and judgment.

The only way to choose is the written form of law legislation, which is applicable to all, in which the unity of judiciary decisions is brought into one framework, and secondly, the judges, attorneys, and other entities can readily follow.

THIRD METHOD

The moderated things in Islam, in which authorities are given to the people of the area accordingly, make the laws as required by the need expected ahead; likely, traffic law is made in written form, as are the retirement law, recruitment law, labor law, electoral law, and advocacy affairs law; however, the mentioned laws need the basic principles of Islam, which are indeed not contrary to Sharia law.

Finally, the question is about the compatibility of laws with Sharia law. Are Afghan laws compatible with Sharia law or are principles followed? For the question, fully consider the points in the research. Every law-making process should be based on Quran and Hadith beyond the fundamental principles in which the interests of people, situations, and needs are considered, whereas changes and flexibility are another important aspect of the law-making process. Fortunately, we are satisfied with legislature power, but having demerits is also criticized by lawyers and scholars. Anyhow, we can reach the main points in accordance with Islamic principles and procedures.

As endorsed by the above point in the Afghan Constitution, especially Article 3, no laws can be contrary to the beliefs of Islam. Thus, criminal law also raised this issue by specifying in Article 1 that "this law specifies crimes and their punishment but does not touch Hadood, retribution (Qisas) or blood money (Daeet's) crimes".

Civil law has also covered this issue of compatibility and applicability in Article 2, which is about family law, which is completely derived from Islamic sharia law. The below articles of law are only for the justification of laws compatibility with Sharia law.

- Islamic Sharia law fully considers the equity principle, which is also followed by Afghan Constitution Article 22.
- Islamic sharia law focused on freedom of living, independence, respect for dignity, and survival, which is also followed by Afghan constitution Article 23.
- The innocent until proven guilty principle of Islam, which is also followed by Afghan Constitution Article 25,
- Criminality and punishment are based on the person-in-person principle, which is also followed by Afghan Constitution Article 26.
- The criminality and punishment of persons in person for legal frame principles are also followed by Afghan Constitution Article 27.

The researcher is observing that laws are compatible with Sharia law, such as the recent criminal code on 11/25/13, published on the official website of the ministry of justice. Accordingly, Article 2 of the criminal law is also followed for proceeding with Tazirat crimes. However, I am not faced with any errors, and I endorse that laws are completely compatible with Sharia law of Islam.

CONCLUSION

Every research has a result and consequences which come up the result from my research as well.

As a result, I have come to realize that law, along with sharia law, is important and necessary for the foundation of government, which is prior to governance.

Law is like the spinal cord for society, and societal cohesions depend upon laws and their acceptance.

Law applicability and enforcement are obligations for the government of Afghanistan.

Afghan laws are followed by the principles of Islam, and having compatibility with them is likely mentioned in criminal code article 2, constitution article 130, criminal law article 1, and civil article 2. For voting in the parliament, the main focus is on the qualification and eligibility of suitable candidates, which are fundamental responsibilities of nations that have expertise in lawmaking.

The current laws are criticized for being copied from another country, but as the author studied the comparative laws, there are no similar cultures, situations, or practices of religion, and vice versa, the laws are reflecting negatively. Another criticism of Afghan laws is the paper vice, in which weak governance causes improper implementation or enforcement of the law.

RECOMMENDATIONS

Firstly, considering Islamic Sharia law principles, it is possible that when one understands Sharia law, the Senate is requested to vote for the right person, so the authorities of the president on the selection of senators should introduce experts or specialists in law. Secondly, considering avoidance in order to copy other states laws in the making process of law Avoid many legislations by which judges and courts cannot enable themselves improper in applicability and enforcement.

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