

## What is *Shariah*?

When the Archbishop of Canterbury Rowan Williams, head of the Anglican Church, suggested that some aspects of *Shariah* law should be incorporated into British law a tirade of criticism was launched at him. Hardly surprising when most people's notion of *Shariah* law is based on misrepresentative media myths and stereotypes – usually of something “medieval” in nature.

**But many Muslims say that *Shariah* is an important part of their lives. So what exactly is *Shariah*?**

Broadly speaking, *Shariah* is the name given to law derived from Islamic sources. It covers politics, economics, criminal law, business, contracts, family life, hygiene and social issues. Though there are similarities with other legal systems in terms of the giving rights and upholding principles and values, it differs completely in its source and methodology and indeed, in the values it seeks to build.

**Can *Shariah* Law fit Modern Society?**

One thousand years ago European countries were ruled by Kings and the Church with laws that maintained an unfair feudal system, oppressed women and pursued almost continuous warfare. Europe would never dream of going back to those uncivilised non-progressive laws, so why do Muslims look towards laws applied during that era?

The Islamic world prospered under *Shariah* law in the past. This differs from Europe, which viewed that progress only really began when the Church was separated from politics and secularism was established. Under secularism, however, Muslim countries have failed to achieve the progress that they enjoyed under Islamic law.

It is not a matter of Muslims reacting and going back to laws that worked in the past. Muslims want appropriate laws for the modern age, that were also appropriate for past ages; the *Shariah* gives just that. This suitability is due to the *Shariah* approaching law from the perspective of the problems that face human beings. So, while technology may have progressed and societies have become more complex, the core relationships between people remain of the same kind. Human relationships still need solutions. Hence, if they were successfully governed by *Shariah* law in the past, and their nature has not changed, then they can be successfully governed by *Shariah* law today.

Laws made by men in a secular system are vulnerable to the prejudices and inadequacies of the men and women who invent these laws. They are also vulnerable to corruption and undue influence by the rich and powerful. We can see many examples of countries that have suffered from injustice and corruption when attempting to implement secular systems.

Muslims believe that the *Shariah* comes from Allah (God). It is Allah's laws for human beings and their societies. It is based upon text that everyone can access, so can be challenged publicly by those who feels derivation of a law is incorrect. It includes checks and balances to ensure that unfair application can be challenged through the court system.



It transcends tribal loyalties, regional interests or the influence of the rich and powerful, therefore it is highly resistant to corruption and able to unite people under its rule.



### **So how is *Shariah* Law derived in the Modern Day?**



*Shariah* Law is based upon the Quran (the revelation from Allah) and the *Sunnah* (example of the Prophet Muhammed).



In some cases, they give a direct verdict on a specific human problem and in other cases scholars of Islam are needed to derive a verdict from these sources using various judicial principles.



In recent years, Islamic Scholars have brought forward explanations of the Islamic stance on modern developments such as stock-holding companies, corporate bonds, stem cell research and organ transplants. Such opinions, at their core, must be derived from the Quran and the example of the Prophet Muhammed.



### **Aren't there Many Different Opinions in the *Shariah* – doesn't this create conflict?**



All Islamic opinions are based on the Quran and *Sunnah*. Therefore, if there is a difference of opinion, the scholars who have derived this opinion and their followers must have respect for the others as they are all Islamic opinions. There should be no conflict over a difference of opinion.



For public matters, the leader of an Islamic State would be entitled to adopt whichever opinion he believed to be strongest and then all people, including scholars with different interpretations, would be bound to obey the law of the land. They would still have the right to argue the case for the opinion they believe to be stronger. In private matters people are free to decide which opinion they believe to be the strongest and follow it.



Secular systems also have a wide difference of opinion on the solutions to problems and what laws should be applied. Those with majority support usually take power and implement their opinions on what is best. This can lead to disastrous results including unpopular pre-emptive wars, economic recessions, tribal conflicts or even civil war.



### **But doesn't *Shariah* Law invade People's Private lives?**



*Shariah* law includes laws about the private lives of Muslims such as the rights of husbands and wives, the way people eat, drink and even sleep! But these things are not left to the discretion of the state, rather they are left open for adoption by individuals.



In fact, the *Shariah* prohibits the State in Islam from spying on its citizens. This is in stark contrast to Western Countries where CCTV watches the streets, personal information is stored (and lost) by governments, phones are tapped and confidential conversations are bugged. Actually secular western systems invade the private lives of their citizens far more than would be permitted by the *Shariah*.

