

Village SDA Church

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Introduction to Islamic Shariah Law

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Structure of Presentation

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Q1. What is Islamic Shariah law?

1. Islamic civilization, since the time of Muhammad, is firmly founded on the concept of 'rule of law.' For that reason, the law is published and known, and Muslim citizens and courts are expected to uphold it.
2. Shariah is the Islamic Law – the disciplines and principles that govern the behavior of a Muslim individual towards his or herself, family, neighbors, community, city, nation and the Muslim community as a whole, the “Ummah.”
3. Shariah also governs the interactions between communities, groups and social and economic organizations.
4. Shariah establishes the criteria by which all social actions are classified, categorized and administered within the overall governance of the state.

Q1. What is Islamic Shariah law?

5. “When Allah' and His Messenger have decreed a matter, it is not for any believing man or believing woman to have a choice in their affair. And whosoever disobeys Allah and His Messenger has gone astray into clear error.” (Surah Al-Ahzaab, 33:36)

6. What Allah has decreed for His slaves is the laws through one of the Prophets whether these laws are conventional or practical, so that they may believed in them so they will lead to their happiness in this world and in the Hereafter.

Q2. Why do Muslims believe we need Islamic Shariah law?

1. For Muslims, human nature dictates that we can only function properly within a society, and a society depends for its existence on laws and regulations.
2. Humans need guidance not salvation, so Islam teaches that Allah has sent a series of messengers and prophets with divine laws for man's guidance from the very first day of creation.
3. The last Messenger was Muhammad who brought the final and the perfect message, Islam, as a guide for all mankind till the end of time.
4. For Muslims, Judaism upholds the principle of justice which demands "an eye for an eye." Christianity promotes the principle of mercy by saying "turn thy other cheek."
5. Islam, the final version of Allah-made laws, takes a balanced look at the issue of capital punishment and has accommodated both the principles of justice and mercy in its system. The Judeo-Christian system cannot reconcile the difference between the two principles of justice and mercy: while justice can be demanded and legislated, mercy cannot be forced or made into a law. You can always plead for mercy but you can never demand mercy. Hence the need for Allah's law....Shariah law.

Q3. What are the Sources of the Islamic Shariah law?

1. Shariah has 4 basic sources, according to most Islamic scholars:
 1. The Quran
 2. The Sunnah of Muhammad (his life and teachings, captured in the *hadith*).
 3. Consensus (ijma) and
 4. Legal reasoning (qiyas).
2. The Qur'an and Sunnah are considered to be revealed sources. Ijma and Qiyas are considered to be based on human reasoning.
3. The primary sources of Islamic law are twofold: divine revelation and human reason. This dual identity of Islamic law is reflected in its two Arabic designations, *shariah* and *fiqh*. Shariah bears a stronger affinity with revelation, whereas *fiqh* is mainly the product of human reason. Shariah literally means "the right path" or "guide," whereas *fiqh* refers to human understanding and knowledge.
4. Shariah thus indicates the path to righteousness; reason discovers the Shariah and relates its general directives to the quest for finding solutions to particular or unprecedented issues

Q4. Characteristics of Islamic Shariah law?

According to Islamic teaching, Shariah law is:

- Infallible (Ma'soumah).
- Independent (Mustaqilah): it is an independent system of its own thoughts and unique in its means from the legislative systems developed by human beings.
- Universal (Alamiyah): it came to all people of different colors and races.
- Unique (Faridah): Its origin is unique and distinguished from the laws of mankind; it was revealed by Allah to Muhammad, and neither the Arabs nor the Muslims have any role in the development of its provisions and texts.
- Wide and complete; it deals with all aspects and sides of life, it is concerned with reforming the soul, mind, thinking, saying and work of the believer, and also concerns with the individual and society.
- A permanent, continuous and stable law.
- Characterized by flexibility not sophistication, to suit all nations in different places and times.

Q. 5 The Provisions of Islamic Shariah Law?

The provisions of the Islamic law are divided into the following:

- The Rules of the Belief (Al-Ahkam Al-Eatiqadiyah): are the provisions relating to the name of Allah and his names and attributes, and called the divine, as well as provisions related to faith in the prophets and messengers, called prophecies, and provisions related to angels, heavenly books, and the judgment day, resurrection, paradise and fire, and other things of the unknown.
- The moral Rules (Al-Ahkam Al-Khuluqiyah): are the provisions that concern with self-purification, which declares that the human being must be honest, faithful, fulfilling the covenant, pardon, patience, humility, and other virtues.
- Practical Rules (Al-Ahkam Al-Amaliyah): or so-called doctrine of jurisprudence (fiqh), are the practical provisions governing the relationship of man to his Lord, such as: acts of worship, the provisions governing the relationship of man to other individuals and groups, and the provisions governing the relationship of the state with other countries.

Q6. What are the Contents of the Islamic Shariah law?

1. The nature of sacred knowledge.
2. The validity of following sacred scholarship.
3. The nature of legal rulings.
4. Purification.
5. Prayer.
6. Funeral prayer.
7. Zakat (2.5% of your annual income).
8. Fasting.
9. Pilgrimage (*Haj*, the once-in-a-lifetime pilgrimage to Mecca).
10. Trade.

Q6. What are the Contents of the Islamic Shariah law?

11. Marriage.
12. Divorce.
13. Justice.
14. Enormities (e.g. homosexuality, bearing false witness, lying about Muhammad).
15. Commanding the Right and Forbidding the Wrong.
16. Holding one's tongue.
17. Delusions.
18. A pure heart.
29. The Gabriel Hadith.
20. Belief in Allah and his Messenger (Allah, Muhammad, Purgatory, other mediators).

Q6. What are the Contents of the Islamic Shariah law?

1. According to Justice o11.0, non-Muslim subjects of an Islamic state face the following prohibitions:
 1. They must follow Islamic rules of public behavior and dress when in public.
 2. They must pay the *jizya*, a poll tax on all non-Muslims.
 3. They must wear distinctive clothing.
 4. They are not greeted with “As-salamu ‘alaykum.”
 5. They must keep to the side of the street.
 6. They cannot build buildings higher than the neighboring Muslim properties.
 7. They are forbidden to openly display wine or pork or ring church bells.
 8. They are forbidden to build new churches.
 9. Shariah law thus systematizes a system of social apartheid along religious lines.

Q7. How is Islamic Shariah law applied?

1. *“Scholars are the heirs of the prophets”* (Personally Obligatory Knowledge, Section a2.7(3)).
2. *“As for the basic obligation of Islam, and what relates to tenets of faith, it is adequate for one to believe in everything brought by the Messenger of Allah (Allah bless him and give him peace) and to credit it with absolute conviction free of any doubt. Whoever does this is not obliged to learn the evidences of the scholastic theologians....Rather, what befits the common people and vast majority of those learning or possessing Sacred Knowledge is to refrain from discussing the subtleties of scholastic theology, lest corruption difficult to eliminate find its way into their basic religious convictions. Rather, it is fitter for them to confine themselves to contentment with the above-mentioned absolute certainty”* (Personally Obligatory Knowledge, Section a4.2).
3. Islam expects unquestioning obedience and submission to the revelations of Allah and legal rulings, all summarized in the Shariah law and legal rulings (*fatwas*).

Q7. How is Islamic Shariah law applied?

1. Many Islamic nations have Shariah law as the basis of their legal system, e.g. Kingdom of Saudi Arabia, Pakistan, Sudan, and Mauritania.
2. Islamic scholars give opinions on legal questions that are raised, and judges issue *fatwas*, i.e. legally enforced decisions from Islamic courts.
3. An essential principle for muftis and judges is they must not to be quick in ruling and must examine all the evidences from the Qur'an, hadith and precedent prior law. The mufti must not think that being quick to respond is due to his own ingenuity, rather he must take painstaking care and be patient as he approaches the problem, in order not to make the slightest error, for the lives of people are in the balance in such decisions.
4. Similarly, he must await changes in circumstances, for conditions and situations might change and evidences might emerge that were not known at the outset of the issue before him. It is thus not uncommon for a mufti to wait many weeks before issuing a *fatwa*. However, where extreme forms of Shariah are practiced, *fatwas* are often made quickly with insufficient attention to the issues or the Shariatic arguments relating to the judgment.

Q7. How is Islamic Shariah law applied?

5. Surat al-Baqarah [The Heifer], 2:143, reads, *“We made you a nation of justice and clemency.”* Moderation is an important principle of application.
6. Surat an-Nahl [The Bee], 16:125, reads, *“Invite (all) to the Way of thy Lord with wisdom and beautiful preaching; and argue with them in ways that are best and most gracious....”* Gracious dialogue is to be preferred over compulsion.
7. Qur’an (Shariah) was not revealed piecemeal to Muhammad. It was implemented over 23 years, primarily in the last ten, after the establishment of the first Islamic state in Medina. Many of those who seek to re-introduce Shariah in their nations have forgotten the need or the gradual nature of this implementation. This was a necessary interval in the development of Islam, so that the people were not overwhelmed with new regulations and rules of conduct, but rather were able to learn it bit-by-bit, as it was given by Muhammad.
8. Islamists tend to seek a sudden and physically enforced application of Shariah, using literal interpretations and ignoring 1,400 years of Islamic legal reasoning. Islamists are a major force in Islam today, compelling Muslim nations to reassess Shariah law.

Q8. In a Religious Liberty context, how do we respond to Islamic Shariah law as Seventh-day Adventists?

1. We start by recognizing that we are approaching Religious Liberty from different starting points, with different worldviews.
2. There are 3 basic worldviews in our world today:
 - Guilt / Innocence, e.g. the Judeo-Christian heritage West.
 - Shame / Honor, e.g. the Islamic worldview (with an Islamist sub-set).
 - Fear / Power, e.g. animist cultures, and including much of Africa.

Q8. In a Religious Liberty context, how do we respond to Islamic Shariah law as Seventh-day Adventists?

The Modern American Worldview

- There are a diversity of religions and beliefs in society.
- There must be a separation of church and state.
- The state cannot support any particular religion.
- Tolerance of diversity of religions is required for peace and order.
- Debate, compromise and accommodation must be promoted in the face of plurality of values.
- Individual rights of life, liberty and property must be protected by the constitution and the law, free from government interference.
- Governments receive their legitimacy from the consent of the governed.

Q8. In a Religious Liberty context, how do we respond to Islamic Shariah law as Seventh-day Adventists?

The Traditional Islamic Worldview

- Divine authority is required for all human actions on earth.
- There is only one morality, that of the Qur'an and the *Sunnah* of Muhammad.
- There can be no compromise with those who do not believe (the infidels).
- Governments are the instruments of Allah.
- Religious requirements must be implemented by Allah's human governments.
- The consent of the governed is not relevant under Allah's government.

Q8. In a Religious Liberty context, how do we respond to Islamic Shariah law as Seventh-day Adventists?

The Islamist Worldview

- Jihad is the revolutionary struggle to seize power for the good of all humanity, and in the last resort is an armed struggle.
- Universal jihad against the modern Jahiliyyah (ignorant barbarism) is required.
- Western governments contain the possibility of evil, oppression and tyranny and usurp Allah's authority.
- Secular so-called Muslim rulers, e.g. Nasser in Egypt, have departed from Allah and Allah's laws.
- Muslims are duty-bound to overthrow every corrupt, secular dictator.
- Jihad against corrupt modern Muslim rulers is necessary.

Q8. In a Religious Liberty context, how do we respond to Islamic Shariah law as Seventh-day Adventists?

1. Some verses of the Qur'an seem at first glance to promote religious liberty, e.g. 2.256; 3.199; 4.123, 137; 5.5; 7.87; 10.99; 18.29; 22.17; 29.46; 45.14; 50.45; 73.11; 88.21-22; and 109.6.
2. However, many verses seem to limit or even deny religious liberty, e.g. 2.191; 3.86; 4.89, 91; 9.3, 5, 29, 73; 47.4, 35; 48.29; 49.15; 60.4; 61.9.
3. Some Muslim scholars argue that many in the West have misperceptions of the issue of human rights and religious liberty in Islam.

Q8. In a Religious Liberty context, how do we respond to Islamic Shariah law as Seventh-day Adventists?

Western Accusation	Modern Muslim Response (Al-Sheha, 2014)
1. Islamic Shariah laws are restrictive of essential liberties and incompatible to the advanced civilizations of the world with modern concepts of human rights.	Muslims believe that the Islamic law is a complete and comprehensive code of life, fully adaptable and suitable to its principles and laws for any location and people.

Q8. In a Religious Liberty context, how do we respond to Islamic Shariah law as Seventh-day Adventists?

Western Accusation	Modern Muslim Response (Al-Sheha, 2014)
2. Islam does not respect the rights of non-Muslims in the Muslim state.	There are just and equitable laws giving the non-Muslim residents in an Islamic state their rights to security, private property, religious observance etc. Muhammad took upon himself to protect and grant freedom for such people to practice their own religious rituals

Q8. In a Religious Liberty context, how do we respond to Islamic Shariah law as Seventh-day Adventists?

Western Accusation	Modern Muslim Response (Al-Sheha, 2014)
3. Islamic punishments such as beheading, stoning to death, amputations are barbaric, cruel, and transgress human rights.	Islamic punishments (<i>hudood</i>) are just, easy, universal, practical and logical because they give the criminal the exact taste of the pain he inflicted on the victim and against the moral basis of society.

Q8. In a Religious Liberty context, how do we respond to Islamic Shariah law as Seventh-day Adventists?

Western Accusation	Modern Muslim Response (Al-Sheha, 2014)
<p>4. Execution as the punishment prescribed for apostasy from Islam is a violation against basic freedom of conscience.</p>	<p>The killing of an apostate implies that such a person has violated the basis of Islam and attacked Islam openly and publicly with treachery and blasphemy. If the apostate continues with his disbelief and apostasy to himself alone, and does not flaunt or broadcast his apostasy, he is left to Allah and the punishments of the hereafter. Apostasy in Islam, which has no separation of church and state, is better compared to treason against the western secular state.</p>

Q8. In a Religious Liberty context, how do we respond to Islamic Shariah law as Seventh-day Adventists?

1. *“When a person who has reached puberty and is sane voluntarily apostasizes from Islam, he deserves to be killed”* (Justice, Section 09.1).
2. *“The following are not subject to retaliation....a Muslim for killing a non-Muslim; a father or mother for killing their offspring....killing an apostate from Islam is without consequences”* (Justice Section 01.2(2), (3) and (4)).
3. In Islam today, while Islamic governments do not approve of individuals switching from Islam to any other faith, it tends to be social forces that uphold the above denial of freedom of conscience, e.g. “honor killings” of apostate children or relatives, armed literalists taking Shariah into their own hands etc.
4. This basic reality of denial of freedom of conscience exists across the Muslim world, and increasingly in the West.

Conclusions

1. Islam is a system of righteousness by works that denies the Gospel and imposes itself on its own adherents and non-adherents via Shariah law.
2. Unquestioning and uncritical submission, acceptance and obedience is required for all “non-scholar” Muslims within Islam.
3. Shariah, when applied literally, is fundamentally incompatible with religious liberty. It denies the right to life for any who apostasize from Islam.
4. However, there are differences of approach in our world today concerning how to apply Shariah, e.g. Wahhabi Islamists, local social forces in Islam, and various Islamic governments differing in their approaches (e.g. the UAE, Islamic Republic of Sudan and Mauritania differ in their implementation).
5. Yet, Jesus is appearing in visions and dreams to Muslims worldwide, appealing to them to follow Him, many are responding as and when they can, and so we are compelled by the love of God to do likewise. Jesus assumes freedom of conscience for people living under Islam, and invites them to follow Him.

Q&A

The image features the text "Q&A" rendered in a bold, three-dimensional, blue font. The letters are thick and blocky, with a slight shadow cast beneath them, giving them a sense of depth and weight. The "Q" is on the left, followed by an ampersand "&" in the middle, and the letter "A" on the right. The entire graphic is set against a plain white background.