

WHAT IS SHARI'AH LAW

“To you We sent the Scripture in truth, confirming the scripture that came before it, and guarding it in safety: so judge between them by what Allah (God) has revealed, and follow not their vain desires, diverging from the truth that has come to you. To each among you have we prescribed a law and an open way.” (Qur’aan 5:47)

A lot has been said about the word “Shari’ah” but very few are familiar with the correct definition of Shari’ah and what it actually means. Shari’ah is the word that is often used for Islamic law. Similarly other religions may also have a set of divine laws, for example the Mosaic law and the Biblical law. These laws can be viewed as the ‘Shari’ah’, for their respective religious beliefs.

Divine law is generally based on divine scripture and the teachings of a Prophet.

Shari’ah, meaning ‘clear path’ or ‘way’, is a code of conduct and legal system used in the Islamic way of life. Western law confines itself largely to matters relating to crime, contract, civil relationships and individual rights. Shari’ah law on the other hand encompasses all aspects of one’s life, from purification to prayer; marriage to divorce; birth to burial etc. It is derived primarily from the Qu’raan, the word of Allah (God), and the Sunnah, the example of the life of Prophet Muhammad (may Allah’s peace and blessings be upon him).

Shari’ah rulings have been developed to help Muslims understand their faith and make it easier for them to observe their daily lives within the legal framework of their faith whilst still maintaining the ‘law of the land’.

"He has not placed any hardship for you in religion," (Qur'aan 22:87)

To explain, Shari’ah law can run alongside the remits of Western law, and not in opposition to it, as Islamic law strictly encourages the requirement to ‘uphold the law of the land’. For instance Muslim communities in the West, have established Shari’ah courts to deal with family or business disputes which aim to work alongside and not in opposition to the law of the land.

The greatest criticisms of Shari’ah law is that it prescribes cruel and harsh punishments. The reality is that although the set punishments may seem cruel, they are rarely exercised due to the fact that they act as effective deterrents against crimes of all nature. This can be compared to capital punishment in countries across the globe in Asia, Africa and the United States.

Islamic Shari’ah teaches us to live life in a way that no one is harmed, whether it be physical, verbal or emotional.

The laws of Islamic Shari’ah are primarily addressed and applied to only those who believe in it. In other words, only Muslims are required to abide by the laws of Islamic Shari’ah.

