

Sharia Is Neither One Nor Static

Sharia is not one monolithic body or a codified book of comprehensive law.

Sharia is based on the Quran and the teachings of Prophet Muhammad, but not all of Sharia is God's word. A good part of Sharia is made up of human contributions. There are literally hundreds and thousands of books written in the last 1,400 years, in multiple languages in places as diverse as Timbuktu in Africa to Bukhara in Central Asia, with millions of opinions, judicial reviews, etc. on various issues. Together, they form the body of Sharia.

Sharia Continues To Evolve

A recent development, for example, is a Sharia discipline called Islamic Economics and Finance. It now commands a trillion dollar market, thousands of scholarly works, graduate programs, and the establishment of Sharia boards at hundreds of Muslim and non-Muslim owned banks. This exercise in Sharia is essentially a human contribution of the last fifty years, aiming to offer Muslims guidance on how to invest and conduct their financial transactions in a modern economy in line with their principles as believers.

Throughout history, Islam has cherished debates. An important early Islamic debate that continues today was between traditionalists and rationalists over whether the universal principles of God's law were to be known by revelation or reason or both. These debates have resulted in dozens of schools of thought in Islam.

Is Sharia A Threat To America?

When some American pundits call Sharia, "a growing threat to the United States," Muslim Americans wonder what in the world they are talking about. Sharia is overwhelmingly concerned with personal religious observance, not with constitutions and laws. All observant Muslims practice Sharia. Defining Sharia as a threat, therefore, is the same thing as saying that all observant Muslims are a threat.

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Unfortunately, three U.S. states have passed anti-Sharia laws, and 22 others are actively considering bills against Sharia. Some politicians are now looking to pass a federal law against Sharia. Anti-Sharia bills are a part of a well-funded campaign of fear mongering and intolerance, not unlike previous campaigns in America against Catholics and Jews.

To understand Sharia is to understand Islam. Criminalizing Sharia will criminalize the practice of Islam in America.

Sharia mandates that Muslims respect the law of the land. It is also against Sharia to impose Sharia on anyone. Muslim Americans are subject to the same laws and constitution as any other American.

Sharia is in some ways similar to the Jewish *Halacha* law or Catholic Canon Law, with similar historic roots but far less complex. Unlike Jewish *Halacha* law which is practiced in Jewish American courts called *Beth Din*, there is no Muslim court system in the United States, nor is the Muslim community demanding this.

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THE
SHARIA
THAT
MUSLIM
AMERICANS
LIVE



The Sharia That Muslim Americans Live

You might have seen a government-required sign at a McDonald's restroom telling employees to wash their hands. Muslims do this as a part of living their faith, which is called *Sharia* in Arabic. The Prophet Muhammad also encouraged Muslims to wash their hands before and after eating. Muslim parents raise their children on many such manners. The first chapter in almost all books on Sharia is about morals and manners of cleanliness, which Prophet Muhammad said is half of the faith. God's peace and blessings be upon him.

When Muslims begin anything they say, "In the name of God". That is Sharia. When they greet each other, they smile and say, "*Assalamu Alaikum*" (peace be with you). That is Sharia.

Similarly, when Muslims take short breaks five times a day to pray, this is another example of practicing Sharia. Prayer is normally the second chapter in almost all books about Sharia.

Sharia does not present a comprehensive list of pure foods and drinks, although it prohibits ten or twelve things and declares everything else to be *Halal* or lawful to consume. If Muslims cannot find *Halal* food, they often eat vegetarian or kosher food. This is all Sharia.

When you see a Muslim woman wearing a headscarf and a loose dress, or a Muslim man with a head covering or beard, they are likely following Sharia manners of dress.

When in a marriage sermon you hear the Quran recited about piety, loyalty to each other, and God's advice for clear communication between spouses, that is a Sharia wedding.

Muslims often avoid taking out mortgages due to the Sharia prohibition on *Riba* (usury/interest). This has led to the establishment of a worldwide Islamic financial industry and Dow Jones Islamic Market Indexes. The latter select companies that don't deal in weapons, pornography, gambling, tobacco, or alcohol, etc. These investments are similar to 30 other "faith-based" investment options, like the Catholic Values Index. These are examples of the practice of Sharia in the realm of business.

All of the above are real-life examples of the totality of Sharia as practiced by the observant among the close to six million Muslims in America and the 3,000 formal Muslim congregations in America. Muslim Americans include doctors, entrepreneurs, professors, cab drivers, and the guy fixing your computer. Their service to their communities is also an example of practicing Sharia.

The Sharia That Muslim Americans Don't Practice

There are parts of Sharia that Muslim Americans don't implement in their daily lives.

Since Muslims ran a civilization for over a thousand years, they naturally developed a body of laws to deal with governing society. These laws deal with issues ranging from fighting neighborhood crime to international laws of war and peace.

Muslim Americans don't practice these laws since they deal with the realm of government and state. Sharia emphasizes that the

rule of law in a society must be implemented by the state. It considers vigilantism a major crime and a sin. Therefore, Sharia prohibits Muslims from practicing this part of Islam on an individual basis.

The Quran, like the Old Testament, is not limited to only the Ten Commandments, all of which except for the commandment to keep the Sabbath are to be found in parallel statements in the Quran. Like the Torah (Genesis, Exodus, Numbers, Leviticus, and Deuteronomy), it ordains punishments for serious crimes. Unfortunately, it is this penal law that many people wrongly think is exclusively Sharia. This is incorrect.

It is true that Islamic criminal law has been at times implemented harshly, and even wrongly, by some Muslims. Such an application of Islamic criminal law is void of God's mercy, which is considered His primary attribute in Islam. However, those nations or groups that do this do not speak for all Muslims, nor do they speak for the prophet of mercy, Prophet Muhammad, who would turn his face away when a person confessed his or her crimes. This was to give them room for repentance and forgiveness.

About five countries among the 56 Muslim nations worldwide implement Islamic criminal laws. Virtually none of them implement Sharia in its totality in all spheres of life. Their laws are a combination of local custom and precedent in that particular country, as well as remnants of laws brought by European colonial powers that ruled those countries.

The primary purpose of Sharia is to preserve life and order in society, not to incarcerate and punish. However, many in the Muslim world who are sick and tired of corruption and injustice demand that the criminal laws of Islam be implemented in their countries. Nevertheless, this is not what Muslims in America are demanding. Their practice of Sharia is limited to the personal sphere.



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