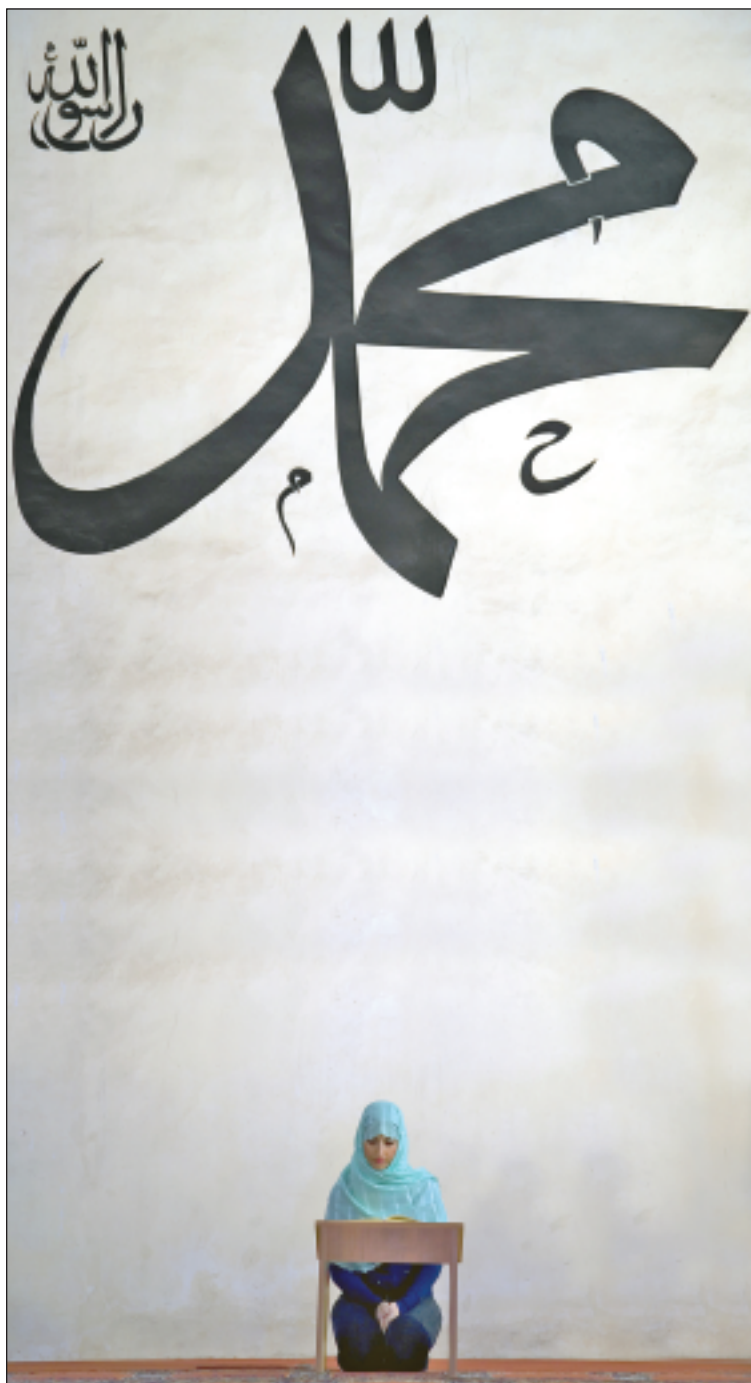


Islamic *Sharia* Law and Muslims in the West



Inscription reads, "Muhammad, Messenger of God."

Traditional Islam assumes that it is impossible for a Muslim to live in a society governed by non-Islamic law. The world is considered to be divided into two parts: (1) the "House of Islam," where Muslims have political control and *sharia* (Islamic law) is enforced, and (2) the "House of War," where Muslims must fight against non-Muslims to establish Islamic political power. Muslims scholars of old often advised that Muslims living in the House of War should migrate back to the House of Islam – meaning back to Muslim states. Radical Salafi scholars still recommend this option to Muslim minorities today.

Other Muslim scholars, such as the influential Sheikh Yusuf al-Qaradawi, argue that Western governments must make their laws more in line with *sharia*. This pressure is bearing fruit. In Britain, for instance, the government employs *sharia* advisors in various departments. It has used *fatwas* (Islamic religious rulings) to gain Muslim support for organ donations. Schools have introduced *halal* food (sometimes for all pupils irrespective of faith), segregated sports and Muslim dress and head covering. Muslim chaplains, Muslim prayer rooms, *halal* food and Muslim headcoverings have also been accepted in a variety of public services such as the police and the prison service. Local councils are now considering *sharia* principles in their decisions on housing, education, health and other matters. In June 2006, the Home Office withdrew proposed legislation banning forced marriages apparently for fear of antagonizing the Muslim community.

However, there are many Muslim leaders who tell Muslims in the West to obey the law of the land so long as it does not contradict *sharia*. There are also scholars who argue that Muslims are free to disobey certain parts of *sharia* if they are living in a situation in the West where it

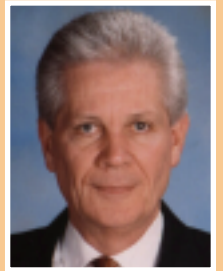


Until All Have Heard

How then, can they call on the one they have not believed in? And how can they believe in the one of whom they have not heard? – Romans 10:14

Jim Bennett

Global Initiative:
Reaching Muslim Peoples



Our emphasis on *sharia* (Islamic law) in this series of lead articles is intended to provide background information for those seeking to understand the nature of Islam and its contemporary expression in the West. This issue deals with *sharia* and Muslims in the West. I realize this series has not been light reading, but I believe it is crucial for Westerners to attempt to understand some of these concepts.


Obedying *sharia* is seen by Muslims as part of living in accordance to God's will, and in Muslim-majority countries the state is seen as the protector of Islam. The state enforces *sharia* to varying degrees

and is also closely involved in religious affairs, often controlling mosques, clerics and Muslim charities.

With this worldview, Muslims in the West often face a dilemma about whether to obey *sharia* or the law of the land in which they live. This can arise over issues such as food, marriage, divorce, politics or banking. Many Muslims in the West would like to see parts of *sharia* incorporated into the civil laws of Western states. Others demand state recognition of separate self-governing Muslim communities in the West.

According to *sharia*, the state should protect Islam and indeed give it privileges above other faiths, because it is God's final and true religion. Blasphemy and insults to Muhammad and the Quran are criminal offenses punishable by death. In order to translate these concepts into the Western context, efforts are made to get laws passed protecting religions from incitement to hatred and violence.

While clothed in general terms as protecting all religions, the real aim of most of these is to give Islam a privileged place in all societies, protecting it from negative comment. Islam, and all related to it must be protected from any kind of criticism, however factual. On March 30, 2007, the U.N. Human Rights Council passed a resolution calling for a global prohibition on public defamation of religion. The resolution had been proposed by the Organization of the Islamic Conference and expressed "deep concern at attempts to identify Islam with terrorism, violence and human rights violations." Apart from Islam, no other religion was mentioned by name.

Thank you for your prayers for the Global Initiative team. Right now we have staff ministering in India, Malaysia and Kenya – as well as several areas of the United States. More than ever we draw strength from your intercession on our behalf. 



Muslim World News



Somalia

Somalian church leader killed

Islamic militants in Somalia tracked down an underground church leader who had previously escaped a kidnapping attempt and killed him last week.

Islamic extremist al Shabaab rebels shot Madobe Abdi to death on March 15, at 9:30 a.m., in Mahaday village, 50 kilometers (31 miles) north of Johwar.

Abdi's death adds to a growing number of Christians murdered by Islamic militants, but his was distinctive in that he was not a convert from Islam. An orphan, Abdi was raised as a Christian.

The militants prohibited Abdi's body from being buried, ordering that it be left to dogs as an example to other Christians. Al Shabaab, fighting the government of President Sharif Sheik Ahmed, is on a campaign to rid the country of all non-Muslims. – *Compass*

Saudi Arabia

Blasphemy case against writer

Jeddah's Summary Court is expected to look into complaints raised against a Saudi writer for allegedly insulting Muhammad, according to a report.

Saudi daily *Arab News* said that the writer had allegedly described a Hadith as barbaric, during a program on Al Hurra channel. The newspaper's sources said that the government court had sent a copy of the lawsuit filed against the man to Justice Minister Muhammad Al Eissa in order to seek his opinion on the issue.

The plaintiffs have presented audio and visual evidence to prove their argument. They believe that the writer's words would not be accepted by any mainstream Muslim and therefore want the court to administer a strong punishment in accordance with the *sharia* law.

Pakistan

Christian burned to death

Arshed Masih died from serious injuries – burns covering 80 percent of his body – which the 38 year old Pakistani Christian suffered when he was set on fire because he refused to convert to Islam. The Christian community of Pakistan condemns “with firmness” the episode and denounces the “slowness” of the government to punish those responsible.

On March 19, a group of Islamic extremists burned alive Masih, a driver employed by a Muslim businessman, Sheikh Mohammad Sultan, in Rawalpindi. His wife worked as a maid in the same estate, situated in front of a police station. Disagreements had arisen between Sultan and the couple because of their Christian faith. The couple had suffered threats and intimidation to force them to convert to Islam. – *Asia News*

Islamic *Sharia* Law and

continued from



is not possible for them to comply with all the *sharia* rules.

Some Muslim scholars are now trying to develop a doctrinal *sharia* basis for Muslim minorities. These are some of their ideas:

Necessity. The *sharia* principle of necessity (*darura*) states that when emergency circumstances threaten the life and welfare of Muslims, the unlawful may become lawful (“necessity lifts prohibition”). This principle allows Muslims in a non-Muslim state to ignore *sharia* rules that conflict with the law of the land. *Darura* is used by many Muslim scholars to justify Muslim minorities adapting to life in Western states, obeying Western legal systems, and being loyal to Western governments. Sheikh al-Tantawi of the prestigious al-Azhar University in Cairo, Egypt used this argument to justify Muslim women in France obeying the French government’s ban on the Islamic headscarf in public institutions.

However, once a *sharia* alternative becomes legally available, it becomes obligatory for Muslims to obey that particular aspect of *sharia*.

The Public Good. The *sharia* principle of public good (*maslaha*) states that certain *sharia* rules may be modified, as long as the benefit for Muslims is greater than that harm considered to be incurred by deviating from *sharia* norms. On this basis some modern scholars argue that socially beneficial rules appropriate to Western contexts may be adopted even if they are not explicitly authorized by the original sources of *sharia*; the Quran and Hadith (traditions). Such scholars say that they are implementing the spirit rather than the letter of Islamic law. Democracy and human rights – which are contradictory to traditional *sharia* – are often defended in Islamic terms by using *maslaha*.

Sharia Jurisprudence for Muslim Minorities. The European Council for Fatwa and Research, linked to

d Muslims in the West

from page 1

the Muslim Brotherhood and headed by Yusuf al-Qaradawi, is the most important body dealing with the formal adaptation of *sharia* legal theory for Muslim minorities in the West. This organization has called on all Muslims in the West to abide by the laws of their respective countries. Yet at the same time it recommended that Muslims in the West should form Islamic institutions to enable them to organize their personal and family lives in accordance with *sharia*. It also recommended that they try to get the country in which they live in to recognize Islam as a religion and Muslims as a community (by implication the first step towards autonomy under *sharia*). These contradictory statements reveal the real agenda of the Council, which is to apply pressure on Western governments for ever more *sharia* application in their legal systems.

An extensive alternative system of *sharia* courts has developed in the United Kingdom, which many Muslims prefer to use rather than the British court system. This means there is a situation of “legal pluralism” in the United Kingdom with unofficial

Muslim law operating in the Muslim community, mainly dealing with family matters (divorce, inheritance, etc.). This places pressure on vulnerable members of the Muslim community, such as women and children, to abide by the verdicts of such courts even when harmful to their interests and when they would get fairer treatment in the normal British courts.

Sometimes the Islamic courts deal with other kinds of issues, such as a stabbing case which was decided by an unofficial Islamic court in Woolwich, London. A group of Somali youths were arrested on suspicion of stabbing another Somali teenager. The victim’s family told police it would be settled out of court and the suspects were released on bail. A council was convened and the assailants were ordered to compensate their victim and apologize for their wrongdoing.

Faizul Aqtab Siddiqi, a lawyer and principal of Hijaz College Islamic University near Nuneaton, predicted in November 2006 that there would be a formal network of Muslim courts in Britain within a decade.

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Islamic *Sharia* Law and Muslims in the West

continued from page 5



Redefining the Status of the West. Some Muslim scholars have tried to redefine Western states as part of the “House of Islam” but this has been strongly opposed by most Muslims. Other terms have been created to describe the West and thus justify Muslims living there and complying with non-*sharia* norms. These include the “House of Security” or the “House of Covenant.” The implication of these terms is that, by allowing Muslim immigrants in and ensuring their safety, Western states have in effect made a covenant with the Muslim community, a covenant that means Muslims must live peacefully and obey the law of the land. The popular European Islamic scholar Tariq Ramadan has invented another term for the West, “House of Witness”, implying it is no longer a “House of War,” but a space where Muslims can live without guilt as long as they are free to witness to their faith.

The concepts above help Muslims to justify their living in non-Muslim Western societies. However, some of them, like *darura*, have a temporal nature – they are only valid for a while, in times of Muslim weakness. The implication is that Muslims ought to struggle to change this not-ideal situation into the ideal of Muslim political domination and *sharia* rule. Others seek to establish Muslim enclaves under *sharia* in the West while gradually reshaping Western systems and institutions in line with *sharia*.

In the process of seeking the right to lives under *sharia*, Muslims in the West are developing a network of loosely-knit Islamic autonomous regions. This could be considered a de facto non-territorial Islamic state.

Seemingly harmless concessions to Muslim demands on *sharia* are gradually building up momentum for the Islamization of Western society. In particular, the “one law for all” principle that lies at the root of Western democratic states is being eroded and replaced by legal pluralism, especially for the Muslim communities. To function with two parallel legal systems can create many difficulties — as is apparent from those parts of the world where this occurs. But introducing *sharia* in the West brings an additional set of problems because of the discriminatory or violent nature of many aspects of Islamic law — which are at odds with human rights norms.

Many Muslims hope that ultimately Western states will grant Islam a privileged and protected position immune from criticism, a position not granted to other religions. This could lead to a “thought-crime” mentality in Western societies.

Western societies must be aware of the serious challenge which *sharia* poses to their democratic systems and to their territorial integrity. Yielding to Muslim demands to implement various aspects of *sharia* would gradually erode the hard-won freedoms and rights which are at present a part of Western society. It would open the door to discriminatory totalitarian systems, denying individual rights and seeking to control both the public and private spheres, in ways that are typical of Muslim states. In other words, the increasing application of *sharia* will profoundly change the character of society in the West, in ways which hitherto would have been completely unacceptable.

We are grateful to Barnabas Aid for permission to reprint this article.



JUMAA PRAYER FELLOWSHIP

*Praying for Muslims
Around the World.*



Friday, May 7, 2010. Please pray

...for the Muslims of Saudi Arabia. Pray that Saudi Arabians might receive even a degree of religious freedom. Currently, a Saudi Arabian writer faces blasphemy charges for publicly calling a particular Hadith barbaric.

...that Islamic blasphemy laws will be repealed in Pakistan. Rubina Bibi, a Pakistani Christian woman, is presently jailed under blasphemy laws for a purported derogatory remark regarding Muhammad.

...for the Muslims of Indonesia. Nahdlatul Ulama, Indonesia's largest Muslim organization, has recently issued an edict stating that the national minimum age of marriage – 16 years old – is non-binding in Islam.

Friday, May 14, 2010. Please pray

...for Christian workers trying to reach Muslims in the Balkans. Saudi Arabia annually spends hundreds of million of dollars to spread Islam in the Balkans.

...for MMBs (Muslim Background Believers) across the Muslim world. Pray they would receive true shepherding and encouragement from fellow Christians.

...for Christian witness in Somalia. Underground church leader Madobe Abdi was recently killed by Muslim extremists.

Friday, May 21, 2010. Please pray

...for the Muslims of Russia. By itself, Moscow is home to 3,000,000 Muslims, most without official registration.

...for the country of Yemen. It is illegal for Yemenis to become Christians and Yemen remains one of the least evangelized countries in the world.

...against the fear that often grips Muslims and hinders many from making a commitment to Jesus Christ — as they are fully aware of the consequences of conversion to Christianity.

Friday, May 28, 2010. Please pray

...for the continent of Africa. Oil money from the Arabian Gulf continues to fund mosques and schools at a rapid pace.

...for Albania. Since the fall of communism in 1990, Muslim missionaries have swarmed into Albania, building mosques and offering a variety of financial aid. Pray that Albanian believers would be strong witnesses to their Muslim neighbors.

...for the growing number of Muslims in Macedonia. Pray that without the religious restraints found in Muslim countries, missionaries will take advantage of the religious freedom in Macedonia to reach a large populace of Muslim expatriates.

***I URGE, THEN, FIRST OF ALL THAT REQUESTS, PRAYERS, INTERCESSION AND
THANKSGIVING BE MADE FOR EVERYONE. – 1 TIMOTHY 2:1, NIV***



JUMAA PRAYER FELLOWSHIP

*Praying for Muslims
Around the World.*



Fuel Your Passion for God and His Mission

Would you like to attend the largest Arabic festival in the US?

Most missions conferences are very challenging but provide little or no opportunity to interact with the people whom the missionaries represent. For this reason we have timed this conference to coincide with the annual "Arab International Festival" in Dearborn, Michigan. Participants will attend the conference AND the festival. It is a unique opportunity to visit the "mission field" in our nation's backyard.

If you or someone that you know would like more information about this special missions conference in Dearborn during June 17-20, 2010, please visit www.dearbornlegacyconference.org.

Friday, June 4, 2010. Please pray

...for God to work a miracle in the lives of Indonesia's 180 million Muslims.

...for Muslims in Canada. Although only 2 percent of Canadians are Muslims, Islam is the fastest growing religion in the country.

...for the Gorani Muslims of Kosovo. Pray for Christian witness to this tiny minority of 11,000.

Friday, June 11, 2010. Please pray

...for radio and satellite broadcasts reaching Saudi Arabia. Pray for a genuine impact in the heart of Islam.

...for Muslim Background Believers (MBBs) in Iran. Persecution continues to be intense as Iranian MBBs face consistent threats of death or imprisonment.

...for Nigeria. Muslim radicals have recently killed hundreds of Christians.

Friday, June 18, 2010. Please pray

...for Muslims in Bangladesh. Please pray that through Christian witness, dreams and visions, Bangladeshi Muslims would receive a true revelation of Jesus Christ.

...for secret believers in Libya. Many risk betrayal or death from their own families and kin.

...for Muslims in Central Asia. Pray that the gospel would reach the hearts of so many hungry people.

Friday, June 25, 2010. Please pray

...for the Muslims of Iran. Iran is a nation of 66 million people; two-thirds of the population is below 30 years old. Christianity is opposed, Bibles are restricted, converts from Islam face potential death, and evangelism is illegal.

...for the country of Malaysia. Freedom for the Christian community is growing even more restricted as the word "Allah" is under protracted legal review regarding whether it can be used in non-Muslim literature. Christians already suffer from encroaching *sharia* law.

...for the Muslims of Africa. With over 1 billion people on the continent, and 3,500 ethnic groups — the population percentage of Muslims is approximately 45 percent and increasing.