

WHAT IS SHARIA?

According to the Muslim scholar Abu Daud (817–889) these four Sayings of The Prophet contain the summary of Islamic law (The Sayings of Muhammad):

1. Actions will be judged according to intentions.
2. The proof of a Muslim's sincerity is that he payeth no heed to that which is not his business.
3. No man is a true believer unless he desires for his brother that which he desires for himself.
4. That which is lawful is clear, and that which is unlawful likewise, but there are certain doubtful things between the two from which it is well to abstain.

Sharia — The Wisdom Fund (TWF.org)

The definition of justice, according to Dr. Robert D. Crane, advisor to Richard Nixon and founder of the Center for Civilizational Renewal, is respect for human rights, which were formulated six centuries ago by Islamic scholars.

These rights, says Dr. Crane, are: "the right to life and personal integrity (haqq al haya), to family and community existence and cohesion at all levels of human society (haqq al nasi), to equal opportunities in accessing ownership of the means of economic production (haqq al mal), to political freedom for self-determination both within and among nations (haqq al hurriyah), to human dignity (haqq al karama, including freedom of religion and gender equity), and to education, knowledge, and freedom of expression (haqq al ilm)."

Regarding separation of Church and State, according to Imam Feisal Abdul Rauf, author of *Islam, a Sacred Law*, Islamic jurists recognized this concept centuries before the Europeans, and divided the body of Shariah rules into two categories: religious

observances and worldly matters. The first they observed to be beyond the scope of modification. The second, subject to interpretation, cover the following:

1. Criminal Law: This includes crimes such as murder, larceny, fornication, drinking alcohol, libel.
2. Family Law: This . . . covers marriage, divorce, alimony, child custody, inheritance.
3. Transactions: This covers property rights, contracts, rules of sale, hire, gift, loans and debts, deposits, partnerships, and damages.

"One of the most sensible definitions of the purposes of the Shariah," according to Imam Feisal, was given by Ibn al-Qayyim al-Jawziyyah who said: "The foundation of the Shariah is wisdom and the safeguarding of people's interests in this world and the next. In its entirety it is justice, mercy and wisdom. Every rule which transcends justice to tyranny, mercy to its opposite, the good to the evil, and wisdom to triviality does not belong to the Shariah . . ."

Several schools of Shariah have evolved: Shafii, Hanbali, Hanafi, Maliki - the orthodox schools, and Jafari - the Shiite school. The Zaydis and Ibadis also have their own schools.

"Classical international law, reputedly invented by the Spaniards Vittorio and Suarez, borrowed the concept of inalienable human rights from Islamic law," according to Dr. Crane.

If it's wisely implemented, shariah may better nurture and protect society than does Western law which is subject to the whims of lawmakers.

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