

A BIBLICAL VIEW ON

SHARIA LAW

A red pencil with a sharpened lead tip lies horizontally across a piece of aged, yellowed paper. The paper has a textured, mottled appearance with some faint, handwritten text. The words "Islamic Law" are written in a large, dark, serif font, and "Myths and Realities" is written in a smaller, cursive script below it. The background of the entire image is a dark red with some lighter red diagonal stripes.

Islamic Law
Myths and Realities

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SHARIA LAW



Americans accept the concept of a true separation of the institutions of church and state. That is not the case with Muslims, especially in other countries. A recent *Pew Research* poll found that 99 percent of Muslims in Afghanistan, 91 percent of Muslims in Iraq and 84 percent in Pakistan favor making sharia the official law of their country.¹

Sharia Law

A foundational practice of Islam is the implementation of *sharia* into the legal structure. Sharia is a system of divine law, belief, or practice that is based upon Muslim

legal interpretation. It applies to economics, politics, and society.

Sometimes the world has been able to see how extreme the interpretation of sharia can be. Muslims have been put to death when they have been accused of adultery or homosexuality. They have been put to death for leaving the religion of Islam. And these are not isolated examples.

A number of years ago, *Pew Research* asked Muslims very specific questions about how far they would implement sharia law. The survey found that 89 percent of Muslims in Pakistan, 85 percent of Muslims in Afghanistan, and 84 percent of Muslims in Egypt favor stoning as a punishment for adultery. The survey also found that 86 percent of Muslims in Egypt and 82 percent of Muslims in Jordan favor the death penalty for any Muslim who leaves the religion of Islam.²

Jews and Christians Under Sharia Law

Christians are persecuted in Muslim countries. Each year, the organization *Open Doors* publishes its World Watch List that identifies where Christians are persecuted.

Over the last few years, nine of the top ten countries that practice extreme persecution of Christians are Muslim countries.³

Treating Jews and Christians under sharia law is justified in the Qur'an. For example, the Qur'an talks about "people of the book." Sura 9:29 says, "Fight those who believe not in Allah nor the Last Day, nor hold that forbidden which hath been forbidden by Allah and His Prophet, nor acknowledge the religion of Truth, (even if they are) of the People of the Book, until they pay the jizyah with willing submission, and feel themselves subdued."

Muhammad made a distinction between infidels, who were pagans and polytheists, and the "people of the book," who had received revelations from the prophets (Moses, Jesus). The latter group is protected in one sense because they have received these revelations. But they are also guilty because (according to Islam) they have distorted these teachings and rejected the teaching of Muhammad. Although this status was originally given only to the "people of the book," it was later extended to other religions (Sikhs, Zoroastrians, etc.).

Because of their guilt, Islamic teaching stipulates that Jews and Christians may live in a Muslim country, but not as equals to other Muslims. Usually this means that they may not participate in the government. They may practice their religion, but with many restrictions. For example, they were not allowed to have any external manifestations of worship (procession with the cross, ringing bells).

These restrictions are another part of the verse that requires the *dhimmis* must “feel themselves subdued.” In the past this has meant: (1) that they could not prevent a fellow Christian from converting to Islam, (2) that they could not erect a cross on their church building, and (3) that they must dress in a certain way that would identify them as Jews or Christians.

Finally, they must pay the *jizya*, which is the poll tax required from every *dhimmi*. In earlier times, this was a major source of income for the Muslim government from *dhimmi* who paid both the personal tax and the land tax.

The Qur’an teaches (Sura 2:256) that,

“there is no compulsion in religion.” But is that really so? It depends upon your definition of compulsion. A closer look at Islamic law demonstrates a veiled threat that many believe is tantamount to compulsion. For example, Muhammad instructed his followers to invite non-Muslims to accept Islam before waging war against them. If they refused, warfare would follow or second class status. They would be inferiors in the Muslim social order and pay the *jizya* as required in Sura 9:29. If they pay it, they may live, but if they refuse to pay it, warfare will ensue.

Sharia Law and Apostates

It is difficult for a Muslim to leave the faith of Islam. A Muslim is considered part of a larger community of Muslim believers.

When a Muslim decides to leave the faith, there are repercussions in the family and community. The family is embarrassed and will even lose respect within the Muslim community. The mosque feels it has failed in its duty and lost a member to ignorance and idolatry.

The Qur’an teaches that an apostate

Muslim faces the wrath of Allah (Sura 47:25-28). Sharia law in many countries treats apostasy as the unforgivable sin and therefore punishable by death.

Many Muslim countries have laws against apostasy. Islam teaches that once you are a Muslim, you are always a Muslim. Leaving the Muslim faith can have harsh consequences, including death.

Sharia Law and Women

There is great confusion about the status of women within Islam. While it is true that many Muslims do respect and honor women, it is not true that those ideas can be found in the Qur'an. Here are just a few passages that illustrate the way women are to be treated.

- According to the Qur'an women are considered inferior to men: "Men have authority over women because God has made the one superior to the other" (Sura 4:34).
- The Qur'an restricts a woman's testimony in court. Her testimony is worth half as much as that of a man (Sura 2:282).

- The Qur'an teaches that a son's inheritance should be twice that of a daughter's: "Allah thus directs you as regards your children's inheritance; to the male, a portion equal to that of two females" (Sura 4:11).
- Islam sanctions polygamy (with up to four wives) as well as sex with slave women: "If we fear that ye shall not be able to deal justly with the orphans, marry women of your choice, two or three or four; but if we fear that ye shall not be able to deal justly with them, then only one, or a captive that your hand possess, that will be more suitable, to prevent you from doing injustice" (Sura 4:3).
- Wives are subject to their husbands. If wives are disloyal or disobedient, the Qur'an sets forth their punishment. The husband is first to admonish them, then not sleep with them, and third to beat them lightly. Essentially, wives are subject to the control of their husbands (Sura 2:223; 4:34).

The veiling and seclusion of women has been part of the Muslim culture since

the beginnings of Islam. In the Qur'an, Muhammad commands his wives and daughters to draw veils around them. This has been applied to all Muslim women. The veil would allow them to be recognized but not molested (Sura 33:59).

The Qur'an teaches that women must "lower their gaze and guard their modesty: that they should not display their beauty and ornaments except what must ordinarily appear thereof: that they should draw their veils over their bosoms and not display their beauty except to their husbands, their fathers" (Sura 24:31).

In some Muslim countries, women cannot drive nor can they leave their home without being accompanied by a male family member. Human rights groups report that women in Saudi Arabia who are not accompanied by a man who is neither their husband nor close relative, can be arrested for prostitution or other moral offenses.

Sharia Law and the Constitution

Sharia law is very different in many respects from the laws established through

the U.S. Constitution and the laws established through English Common law. In an attempt to prevent sharia law from being implemented in America, a number of state legislatures (Alabama, Arizona, Kansas, Louisiana, North Carolina, South Dakota, and Tennessee) have bans on sharia law. Voters in other states have approved a ban that has been struck down by a federal appeals court.

Although opponents argue that these sharia law bans are unnecessary, various studies have found significant cases of sharia law being allowed in U.S. court. One report with the title, "Shariah Law and the American State Courts" ⁵ found 50 significant cases of sharia law in U.S. courts just from their small sample of appellate published cases. When they looked at state courts, they found an additional 15 cases in the trial courts and 12 more in the appellate courts. Judges are making decisions deferring to sharia law even when those decisions conflict with the U.S. Constitution and the various state constitutions.

How should we respond to the increased use of sharia law in America? One simple

way to explain your concern to legislators, family, friends, and neighbors is to remember the numbers 1-8-14. These three numbers stand for the three amendments to the U.S. Constitution that contradict the use of sharia law.

The First Amendment says that there should be no establishment of religion. Sharia law is based on one religion's interpretation of rights. The First Amendment prohibits the establishment of any national religion (including Islam).

The Eighth Amendment prohibits "cruel and unusual punishment." Most Americans would consider the penalties handed down under sharia law to be cruel and unusual.

The Fourteenth Amendment guarantees each citizen equal protection under the Constitution. Sharia law does not treat men and women equally, nor does it treat Muslims and non-Muslims equally. This also violates the Constitution.

It is easy to see why we don't need sharia law in America.

End Notes

¹ Michael Lipka, "Muslims and Islam: Key Findings in the U.S. and Around the World," Pew Research, 9 August, 2017, www.pewresearch.org/fact-tank/2017/08/09/muslims-and-islam-key-findings-in-the-u-s-and-around-the-world/

² "Beliefs About Sharia," Pew Research Center, 30 April 2013, <http://www.pewforum.org/2013/04/30/the-worlds-muslims-religion-politics-society-beliefs-about-sharia/>

³ Open Doors, "Christian Persecution-World Watch List – 2017," <https://www.opendoorsusa.org/christian-persecution/world-watch-list/>

⁴ Shariah law and the American State Courts, Center for Security Policy, ⁵ January 2015. <https://www.centerforsecuritypolicy.org/2015/01/05/shariah-in-american-courts-the-expanding-incursion-of-islamic-law-in-the-u-s-legal-system/>.

Additional Resources

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