

Monday, 29 June 2009

UK report warns against recognition of "outdated" Shariah Islamic law challenges Western freedom: report



[British report warns against Sharia tribunals prompting Muslims to accuse report of scaremongering](#)

DUBAI (Mona Moussly)

Islamic law should not be recognized under the United Kingdom's arbitration laws because its principles are outdated and they contradict Western laws, a report by a British think-tank said on Monday, which Muslim figures dismissed as "scaremongering."

The report, called Shariah Law or One for All?, claimed to have discovered as many as 85 Islamic "courts" operating in Britain that hand out unofficial rulings, or fatwas, sought by devout Muslims from their mosque imams, which the report says are in contrast to the laws applied in British courts.

"They are not official in terms of British law but they carry weight in terms of Shariah," Dennis MacEoin, author of the report published by independent think-tank Civitas, told Al Arabiya, adding such rulings are "inappropriate with Western legislation."

MacEoin said he believed the worst contradictions were in Shariah's laws on marriage and divorce and said Muslim men can easily divorce their wives, leaving the woman with no rights and turning Muslim women into "second class citizens."

When asked about Beth Din, the Jewish court that operates freely across the U.K., MacEoin said they only rule according to British law.

According to Jewish law it is "very difficult" for a woman to get a divorce from her husband and this makes the arguments against Islamic law applicable to Jewish law.

"It is discriminatory against a woman and I'm not happy about that," MacEoin said on the position of Jewish law on divorce.

No integration

MacEoin said he believed Shariah was outdated and was "no longer appropriate for the modern period" because "it is not how the world works any more."

He added it was not possible to integrate Shariah law into British law and said the current situation was harmful to relations between Muslims and non-Muslims and hindered Muslim integration into British society.

Last year, head of the Anglican Church and the Archbishop of Canterbury, Rowan Williams, caused public outcry when he suggested that the adoption of aspects of Islamic law in the U.K. was "unavoidable."

The issue of integrating Britain's 1.8 million Muslims has been widely debated since July 2005, when four British Islamists carried out suicide bombings on London's transport system, killing 52 people.

"Scaremongering"

However a member of the Muslim Council of Britain (MCB) criticized the report, splashed across the British press, for its lack of research credibility.

"It must be gratifying to be able to publish work without ever properly researching the subject matter," the unnamed MCB member wrote on Engage, a U.K.-based media awareness website.

"And it says something of any institute willing to even entertain the idea of publishing such poor quality work."

Inayat Bunglawala, also of MCB, told Britain's the Telegraph: "To term them Shariah courts is ridiculous, it's just scaremongering."

Bunglawala was referring to the 85 "courts" allegedly operating across the U.K., which is a massive jump from only five believed to be dotted around the country.

Evolving Shariah

Shariah law is based on the Quran, the word of God, and the Sunnah, or the life of Prophet Muhammad. One major difference between Shariah and Western law is that it governs every aspect of a Muslim's personal life.

For SOAS law professor, Mashood Baderin, the term Shariah can be used in several contexts and the only problem is that people are looking at it from the wrong perspective.

"When people talk about Shariah, many people look at it from a historical perspective but Islamic law has completely gone beyond that," Baderin told Al Arabiya, adding that in the past British laws gave no rights to women but they evolved and now people speak about the modern British law.

"So if we can look at common British law from that perspective, as evolving, why can't we look at Islamic law also as evolving, rather than thinking of it only in historical terms," he said, explaining that the law has evolved to allow women their rights.

The professor said today's Muslims who are asking for Islamic law in Britain are not necessarily asking for Islamic law in the context of seventh century or tenth century they want it applicable for today.

