

Children of a Lesser Sharia

I squirmed nervously in my chair at a recent interfaith conference as a dear colleague tackled the controversial topic: “Is Sharia compatible with the America Constitution?” Thankfully, he nimbly navigated the situation with declarations that sharia (Islamic law) melds with democratic, developed world values such as freedom of religion and expression (2:256), presumption of innocence (49:6), gender equity (4:32, 33:35), social safety nets (9:60), rule of law (33:60), and strong ethics (70:21-70:33). Indeed, the Quranic sharia is versatile, benevolent, and in tune with the laws of Western republics. However, there is another “lesser sharia”, as I call it, corrupted with non-Quranic, false traditions which promotes human rights violations and to a good extent is incompatible with civilized life. How did this divergence come to be?



Sharia is an Arabic word meaning “path to be followed” or “path to the watering hole”. Within two centuries of the death of Prophet Muhammad (S), the source of Islamic law became not only the Quran but also false histories and hundreds of thousands of supposed actions and sayings attributed to Prophet Muhammad. During that time period, 5 prominent imams, Abu Hanifa, Malik, Shafi’i, Hanbal, and Jafar, came to represent separate Islamic jurisprudence schools based on their interpretations of the corrupted sharia with rulings on topics as diverse as crime, marriage, trade, prayers, sexual intercourse, personal hygiene, etc. Hence, the lesser sharia and its various interpretations became codified as they are today. The supermajority of modern day religionists idolize these ancient imams. Challenge or reform of the ancient rulings is shunned by almost all scholars, deemed blasphemous by some.

The average Muslim is either blissfully unaware or in denial that human rights violations such as blasphemy and apostasy laws, child marriage, stoning, and gender oppression stem from the rulings of these ancient jurists. It is their lesser sharia which made it haram (forbidden) to pluck a stringed instrument and yet introduced the barbarity of stoning into Islamic law. Perhaps no other example of the corrupted sharia is as glaring as this: the Quran makes it possible for adulterers to be forgiven (25:68-71), marry (24:3), and there is no death penalty, but the lesser sharia prescribes stoning for sexual transgression! The Benevolent God of the Quran prescribes no worldly punishment for blasphemy or apostasy, but paranoid imams and caliphs could not stand dissidents, and hence tailored the lesser sharia to deliver death upon them. Muslim women under the lesser sharia must cover head to toe, but if the same woman is sexually assaulted, must produce four witnesses to the crime(!). Some corruption is rather comical: the lesser sharia forbids the playing of chess, deriving the ruling from supposed declarations of Prophet Muhammad. But it is well established by historians that Muslims were introduced to the game almost two centuries after his death.

It is understandable that critics may have reservations about beliefs based solely on the Quran as well. For example, polygamy may give pause to many. But does the Quran really make four wives some kind of norm? Certainly, no benevolent Supreme Being would assign four mothers-in-law to

any one man.

4:3: "If you (society) fear that you shall not be able to do justice with orphans, (as may happen in times of war), in order to accommodate widows and orphans, men of sound finances and character shall be encouraged to marry these widows; two, three, and four (4:127)."

The verse addressing polygamy is meant for times of post-war societal upheaval to help widows and orphaned children. Most modern societies have welfare systems that can support the disadvantaged, obviating the need for multiple marriage. Another common objection against Quranic Law is the hand amputation of thieves (5:38). But, in the Quran, the word for "hand" (yadd) also means "ability" and "cut" (qata) can mean "to disable" or "to bind" (26:49). Hence, jailing the thief is the punishment, unless he/she repents and makes amends (5:39).

In conclusion, the Quranic sharia flows well with the laws of the developed world. In contrast, much of the lesser sharia is contaminated with oppressive traditions and is not suitable for 7th century or 21st century life, for Western life or on any inhabitable planet for that matter. I assure my non-Muslim friends that in no way are Western Muslim citizens interested in passing laws of the lesser sharia into action here. And that is where the hypocrisy is self-evident. The same elephant in the room that the majority of Muslims and their traditionalist scholars do not want for themselves or their children, but refuse to challenge, continues to trample human rights all over the world. Hence, when a Bengali blogger is stabbed to death for blasphemy, when a 9 yr old is traumatized by her middle aged groom, or when a poor lady is stoned to death in Afghanistan, it is not only the perpetrators but the silent Muslim majority and enabling imams that are equally to blame. These Children of a Lesser Sharia must arise from their slumber and reclaim the Soul of Islam.

[Islamophobia: Nothing to Fear...or is there?](#)

This week, a Facebook group called Global Rally for Humanity put out a call for anti-Muslim demonstrations "in every country at every mosque." Some plan to use "open carry laws" in some American states to bring weapons. Granted, the average participant IQ at such rallies is about 89, and these proceedings could readily be dismissed as gatherings of village idiots. However, recently anti-Muslim views have been expressed by otherwise intelligent public figures (with much fanfare) such as Donald Trump and Dr. Ben Carson, who recently



stated he would not want a "Muslim in the White House". Is there any validity to the concerns of these

Islamophobes? Is Islam incompatible with the American way of life? No...with a small caveat.

First of all, please note that the 3 to 7 million Muslims in America are a more integrated community than in any other non-Muslim majority country in the world. A 2011 Pew Research Center study cited in the Christian Monitor ([Christian Science Monitor](#)) revealed that American Muslim values mirror that of the average American:

- Though they tend to be younger, less likely to divorce, and more conservative regarding homosexuality,
- 55% of Muslims are married, as is 54% of the general US population.
- 20%, like 17% of all Americans, are self-employed or own small businesses.
- 58% of Muslims versus 62% of the general population watch TV
- 90% of Muslims agree that women should be able to work outside the home vs 97%
- 68% feel gender makes no difference in political leaders vs 72%

American Muslims by-and-large are law-abiding, tax-paying citizens. When a tragic school shooting, a domestic murder-suicide, or a large financial scam occurs, the rate of Muslim involvement barely registers a blip. The fear of increasing terrorist attacks after Sept. 11, 2001 is quickly diffused by review of the facts: nearly twice as many (48) people have been killed by white supremacists, antigovernment fanatics and other non-Muslim extremists than by radical Muslims (26): (reference: [NY Times](#)). The rates of other social ills, such as teenage pregnancy, drugs, high school dropouts, etc. are also considerably lower in the American Muslim population.

So then what is wanting for the American Muslim to be accepted as a “true” American? This foreignness was thrust upon us by geopolitical events beyond our control, that began half a world way at the turn of this century...but it is our cross to bear nonetheless. Here are some ideas to help diffuse American Islamophobia:

- **Set an example with your demeanor and ethics.** Over two-thirds of Americans have an unfavorable view of Muslims, but once they get to know a Muslim personally, that number drops by over half!
- **Stand for the rights of others.** Look beyond your community and stand for the rights of all the wronged and oppressed. The most vocal supporters of American Muslims are often Jewish groups and the NAACP. Be seen standing with and for them when the fight is right. Indeed, the Quran refers to even non-Muslims who stand for law and order and a just economic system as “Brothers in Deen (the Way of Life)” (see: [Malaysian Insider](#)).
- **Be involved in community centers.** Volunteer time as coach, tutor, physician, etc. in non-Muslim organizations. Let non-Muslims and their children look up to you as a role model.
- **Be openly charitable.** Donate to non-Muslim causes...publicly. There is a common misconception that the Quran denounces non-anonymous charity. This is not the case:2:271: *“If you give charity in public, it is worthwhile (for it may persuade others), but if you hide and deliver it to the poor in secret, that is better for you”* (Quran As It Explains Itself, by Dr. Shabbir Ahmed). What American Muslim would not be proud of a “Muhammad Ahmed Library” or “Fatima Hussain Women’s Shelter”?! That is the kind of PR we need.
- **Know your neighbor.** Socialize with your neighbors regularly and visit them when they are ill. Islam would not have spread if kindness was restricted to fellow Muslims.
- **Celebrate diversity.** Unfortunately, many American Muslims, like Muslims the world over,

confuse Arab culture with “Islamic” culture. (Some of the “Islamic” getup donned by Muslims is as *sunnah* (tradition) of Prophet Muhammad (S) as it is that of his most bitter Arab enemies!). If there is a culture in Islam, it is *diversity:49:13*: “O Mankind! Behold, We have created you male and female, and have made you nations and tribes so that you might come to know one another...” One can easily stay within the general bounds of modesty as described in the Quran, yet dress very much like the average American. Why try to stand apart unnecessarily?

- **Support the Reformation of Muslim Thought.** Sam Harris, celebrated atheist and Islamophobe, recently tweeted, “Of course I know there are moderate Muslims. The problem is that there is no theological basis for their views.” Unfortunately, Mr. Harris has a point. What non-Muslims fear most about Islam along with terrorism is *sharia law*. There is absolutely no denying that the generally accepted legal interpretation of Islam in circulation today supports child marriage, polygamy, stoning, blasphemy laws, and other troublesome practices. Every non-Muslim and Muslim is justified in being phobic of these violations. What sane person would want these beliefs enacted on their families? I covered these non-Quranic beliefs at length in a recent essay entitled, “No Comment: m.o. of the Passive Muslim majority” (see [No Comment](#)). Let’s discuss reformist interpretation briefly:**Polygamy:** the verse that grants permission for polygamy is only meant for times of societal upheaval to help widows and their orphaned children:*4:3*: “If you (society) fear that you shall not be able to do justice with orphans, (as may happen in times of war), in order to accommodate widows and orphans, men of sound finances and character shall be encouraged to marry these widows; two, three, and four (4:127).”**Child Marriage:** Under the influence of a supposedly authentic tradition, the majority of Islamic jurists refuse to denounce this heinous practice. All the while the annual toll of emotional trauma, injuries, and deaths of young Muslim girls continues to mount. The Quranic marriageable age is sufficient age to sign a legal contract, ability to consent, and to handle finances (4:6, 4:19, 4:21).**Blasphemy Laws:** Every single one of the four ancient Sunni schools of thought (*madhab*) prescribe death for blasphemy. The Quran has no such punishment but instead advises patience and tolerance under adverse circumstances.**Stoning:** The Quran *nowhere* mentions a death penalty for moral crimes. Regardless, every single one of the four Sunni schools of thought prescribes stoning for adultery.

What we have to fear even more than right wing Islamophobes is our own apathy.

Who will promote reformist interpretations and challenge this sharia developed by ancient religious “authorities” which has been responsible for the oppression of millions over the past millennium and tarnishes Muslims the world over? It won’t be modern day traditional scholars. At a major international forum for Promoting Peace in Muslim Societies held in April 2015, the most prominent American Islamic scholar had this to say:

“(Killing for leaving Islam) was to protect the religion ... but it is no longer the mentality for the age we live in, so when you look at the universal principle of Islam it is to attract people towards religion. However, he said, in the current age applying apostasy law will cause more people to leave religion than to join it so it has an opposite effect.” (UAE Summit)

There you have it. Is turning the Prophet (S) into a role model for ISIS and a disgrace to our children by attributing atrocities to Him considered reformation? Why not denounce the traditions behind these atrocities as false? Does not the Quran firmly declare, “there is no compulsion in religion?”

Instead of challenging them, prominent American scholars do the rounds in convention circuits celebrating the ancient religious authorities as “Champions of Islam.”

So it falls upon us my fellow American Muslims. What we have to fear even more than right wing Islamophobes is our own apathy. If you want to be truly respected and integrated in America, use your God-given Reason and American freedoms to stand up for Pluralism, Human Rights, Justice, and Reform. That is what being American is all about...that is what being Muslim is all about!
