

1. This question is asking me to see whether or not the shari'a is just one thing as a whole. I will do this by looking at how it may be so.

First of all, all Muslims agree that the shari'a is the final guide for humanity. The Qur'an says that it tells people what to do and how to pray and live their lives.

Secondly, there is the argument that if the Muslim community are an ummah – a brotherhood – and united, then they will all obey shari'a law and therefore it adds force to the fact that there can be a single way to view the shari'a.

In addition, there are particular ways of understanding and reading shari'a and only the learned scholars, who are in agreement, can actually state how a Muslim should live. It therefore gives a single and clear guide for human beings. Scholars back this up.

In conclusion, Muslims would argue that there is only one single way to view the shari'a and if you are a Muslim then this should be how it applies to your life.
2. On the one hand, in the west the idea of shari'a conjures up all the darkest images of Islam: repression of women, physical punishments and the death penalty. For example, Tariq Ramadan observes, 'In the west the idea of shari'a calls up all the darkest images of Islam: repression of women, physical punishments, stoning' and he also argues that because of this 'many Muslim intellectuals do not dare even to refer to the concept for fear of frightening people'. However, on the other hand, according to Islam, it is considered to be the greatest of blessings and provides guidance for a successful life in this world in preparation for the afterlife. As Frederick Denny states, 'Far from being an unwelcome or burdensome imposition, it is considered to be the greatest of blessings and guidance for successful and individual communal life'.

The more that is learned about the nature of shari'a, it could be argued that the more difficult it is to explain exactly what it is. However, if we take the term as literally understood it is the 'path' (to the watering hole); the image used of water brings to mind quenching thirst, refreshment and a life-giving source and is a very powerful analogy for Islam, a religion that originated in the desert lands of Saudi Arabia. The first Sura reads: "Show us the straight way" (v6) or alternatively translated "Guide us to and in the straight path" (tr. Abdullah Yusuf Ali) referring to the holistic nature of Islam or shari'a. Therefore, an alternative argument could be that it is the complete path designated for Muslims by Allah in order for them to live fully. It is life itself, or din, a complete way of life that is lived according to the will of Allah.

Nonetheless, it is also suggested that the shari'a is a 'law'; it is often referred to as shari'a "law" or "the law". In this way, it is often presented in a negative light, or at best, given a very narrow understanding of its function that is limited to social aspects only.

Contrary to this understanding is the argument that suggests that the word 'law' is often meant in a universal, life-encompassing and also spiritual manner. Indeed, Turner comments, '...there is no such thing as a practice or action that is inherently sacred, religious or 'Islamic': an action is only as good, bad, sacred or profane as the intention which engenders it and the attitude which underpins it.'

It is therefore questionable as to whether the word 'law' is an appropriate association for shari'a in its purest sense. What people normally mean by shari'a law is just one aspect of its

nature, the rest of which will be explored in this answer.

In light of this, shari'a is best understood as the 'way' or 'path' towards which Allah guides Muslims and one that incorporates all aspects of life. This is supported by the idea of guidance in the Qur'an. Again, Sura 2 states: "This is the Book; In it is guidance sure, without doubt." Shari'a then, is used to refer to Islam itself, the religion of peace and to the behaviour of a Muslim, that is, one who submits to Allah.

## Feedback

This first example has no mention of any scholars. It also wastes time stating the obvious. Danger signs are that the candidate does not really want to evaluate but simply look at 'how it may be so'. It does have some vague references to the Qur'an but these are not wholly accurate. All the material is relevant and there is some reasoning to support the statement but this is only at a superficial level and some of the points need developing to make clear how they supported the statement. There is a good point about the ummah but no real development of how there may be variety or unity in applying shari'a together with evidence and examples. However, the most serious weakness is that it is only one-sided. There are no challenges to the points made and no alternative case for the view that the shari'a can in fact be seen in many different ways and this does not mean it is not coherent. It ends with a very generalised and one-sided conclusion.

The second example is the better example of the two. There is a very good introductory paragraph that gets straight to discussing the answer. It points out that immediately we can see two ways of viewing the shari'a and uses scholarly support. When this argument is attacked and the answer returns to an all-embracing view of shari'a, there is good use of quotation from scholars and direct reference to the Qur'an. The structure of the debate shows a process of reasoning. It responds to points made and raises counter points which are then addressed. The argument is then developed into a conclusion with references from the Qur'an and the reasoning is supported by the discussion that precedes it. If we are being really critical, there is some repetition of the argument; however, this is only a minor matter.

**'The shari'a law is simply a guide developed by human beings.' Evaluate this view with reference to Islam.**

The issue for debate here is that the shari'a is a result of human compilation. This can be argued as true to some extent as even the Qur'an was compiled by Muhammad's scribes. However, on the other hand the Qur'an is, according to Muslims of divine origin.

After the death of Muhammad the community gathered together ideas and wrote them down making the tradition (hadith). However, this was done very carefully and tested so that it was accurate so it could be genuine.

In addition, the law schools were developed to make sure that everything is in place. Nonetheless, some of the law schools differ from each other.

Finally, the doors to ijihad were closed and the final revelation and agreement of the shari'a had

been established and protected by Allah. However, some argue that there is still room for further interpretation and application of the shari'a.

## Quotes

- With the death of Muhammad, divine revelation ceased; however, the Muslim vocation to follow God's law did not. (John Esposito)
- Much of this basic moral attitude reflected in the terminology of 'forbidden' and 'permitted' corresponds to that found in Near Eastern religion in general and in the Bible especially. Such parallels are sometimes seen to go further. A comparison is sometimes drawn between the biblical 'ten commandments' and sura 17 verses 22–39. (Andrew Rippin)
- To some Muslims, its importance is as a guide to family matters. To others, it is a political system of laws to run a society. There is no single shari'a system that all Muslims agree upon. Nevertheless, there is broad agreement that rules and laws in Islam should be based upon several sources. (Idris Morar)
- They included pious fabrications by those who believed that their practices were in conformity with Islam and forgeries by factions involved in political and theological disputes. (John Esposito)
- Classical Islamic jurisprudence defined the community in a more restricted sense as the community of legal scholars or religious authorities who act on behalf of and guide the entire Muslim community. (John Esposito)