

# ‘SHARIA’

## What it means to Muslims and to anti-Muslim groups

- *Sharia* is an Arabic word and an **Islamic religious term**.<sup>1</sup> In recent years, the word has been employed by anti-Muslim organizations that claim Muslims want to “impose” it on Western societies.
- *Sharia* literally means “path to life-giving water” in Arabic and is commonly referred to as “Islamic law.” Not a single book or legal code, *sharia* is better understood as “[the idea of God’s law](#),” and “**[refers to the way God advises Muslims to live](#)**.”
- *Fiqh*, “understanding,” is the [human interpretation](#) of *sharia* based on the Islamic sources of revelation (Qur’an and the Prophet Muhammad’s example). Thus, there is **no universal consensus** on how *sharia* should be interpreted and **there is much internal diversity among Islamic legal rulings**. For [more](#) on *sharia*, *fiqh*, and Islamic law, see the [work](#) of Dr. Asifa Quraishi-Landes.
- For Muslims, as for those of other faiths, notions of divine law **guide both religious practice (e.g. prayer) and ethics (e.g. how to treat one’s neighbor)**. In the United States, Islamic law **can be consulted in civil cases** involving Muslim litigants, such as those involving marriage, divorce, or the probation of an Islamic will. These types of **cases occur in other religious communities in the United States**, just as Judaic law (Halacha) can be [consulted](#) in cases involving Jewish Americans.
- **A common myth about *sharia* is that it is the law of the land in majority-Muslim countries**. Legal systems differ from country to country, and, as Dr. Asifa Quraishi-Landes [notes](#), they have been heavily influenced by European colonialism (read more [here](#).) Many controversial laws in majority-Muslim countries, like the law banning women from driving in Saudi Arabia, have [no basis in sharia](#).
- Contrary to common perceptions, Muslims are not duty-bound to impose *sharia* on non-Muslims. In fact, Islamic law by definition specifically [pertains to Muslims](#), and it protects the right of other faith communities to live in accordance with their own laws.
- Amid a [concerted effort](#) by anti-Muslim groups to engender public concern about *sharia*, **legislation was introduced in over half of American states to ban *sharia* or “foreign law.”** The [architect](#) of these bills was David Yerushalmi, an attorney for anti-Muslim organizations. The grassroots anti-Muslim group, [ACT for America](#), run by [Brigitte Gabriel](#), [campaigned](#) for the bans’ adoption. As of 2017, ten states have [passed laws](#) banning “foreign law.” In [2012](#) and [2016](#), opposition to “foreign law” was included in the Republican Party platform.
- **Anti-Muslim organizations and commentators portray *sharia* as a monolithic Islamic legal system** that is [opposed](#) to human rights, religious freedom, women’s rights, democracy, and the U.S. Constitution. This characterization of *sharia* allows **anti-Muslim groups to argue that Islam is ‘not a religion’** or ‘not only a religion,’ but also a [‘totalitarian political system.’](#) In June 2017, [ACT for America](#) [organized](#) marches “against *sharia*” in over two-dozen U.S. cities.
- Groups like [Frank Gaffney’s Center for Security Policy](#) [inaccurately claim that Muslims are working to institute \*sharia\*](#) in the United States and “[destroy western civilization from within](#)” by means of “stealth jihad” or “civilization jihad.” Mosque construction and Muslims’ involvement in civil society are cast by anti-Muslim groups as evidence of “[creeping sharia](#).” Unreliable [surveys](#) and [studies](#) have been used by [anti-Muslim groups](#) and [politicians like Donald Trump](#) to claim that most Muslims want to impose “barbaric” laws in America.
- Some [media outlets](#), as well as **Republican politicians and government officials have echoed anti-Muslim groups’ discourse about *sharia***. These include [Herman Cain](#), [Rick Santorum](#), [Newt Gingrich](#), [Ben Carson](#), [John Bennett](#), [Donald Trump](#), and [Steve Bannon](#). For some, renouncing *sharia* should be a condition for [citizenship](#), [running for political office](#), or [serving](#) on the Supreme Court.
- Critics [say](#) that these **anti-*sharia* laws are “a solution in search of a problem.”** Academics and legal scholars [argue](#) that the threat of *sharia* usurping the U.S. Constitution is a [non-existent one](#). Opponents have criticized anti-*sharia* campaigns as “[clear anti-Muslim bias](#).”

**IMPACT:** Often portrayed as a monolithic and medieval system of Islamic law, *sharia* has been used by anti-Muslim groups and politicians to [argue](#) against First Amendment protections for Americans who are Muslim. [Critics](#) express concerns that anti-*sharia* campaigns contribute to Islamophobia and infringe on American Muslims’ right to [religious freedom](#).

---

1. In English, the word is also rendered as *shari’a*, *shariah*, or *shari’ah*. Non-Muslim Arabic speakers, including [Catholic Christians](#), also use *sharia* to refer to “divine law” in religious contexts.