

Islamic Law and the United States Constitution

Contributed by Aaron Kopitz
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Monday September 24, Dawud Walid who is the Executive Director of the Michigan chapter of the Council on American-Islamic Relations (CAIR-MI) spoke in the Ontario room of the Cisler Center. He gave a presentation on the similarities and differences between Islamic Law also known as Sharia and that of the U.S. Constitution.

Invited by the Diversity Committee and Student Activities Mr. Walid was flown in from Detroit. He gave a hour presentation which then he opened up for questions. He started his speech with what Sharia really is. The first statement he makes to lead us into the topic is "There is no codified, written Islamic law as there is one written U.S. Constitution". He explains there are several different interpretations of it. In Sunni Islam or "The majority of Orthodoxy"; there are four schools. With in these four schools Sharia has been applied in different ways due to geography, culture and time. In the Shiite branch of Islam there are three schools of thought and one called Nonbadi. Mr. Walid points out that there are eight different and distinct schools of thought in Islamic Law and a rather new one which is practiced in the Saudi Arabian kingdom called Wahabi.

Since Mr. Walid cannot base his discussion off of one definite Sharia due to the diversity and complexity of its being he uses Al-Shatibi's Philosophy of Islamic Law or "Objective of Islamic Law". Mr. Walid compares this book to the Preamble in the U.S. Constitution. He says, "All Muslims who practice Islam are bound by Islamic law by a certain degree." This includes all Muslims who live in a Muslim majority country or minority land. These basics of Sharia include worship, financial transactions, legal legislations and such things a judiciary punishment and rewards. All Muslims are bound to their actions of devotion to Allah.

There are three objectives in Sharia law on a governmental level. Necessities, requirements and beautification. The necessities of Islamic law is considered the broad preamble of Islamic Law which includes the protection of faith, life, posterity, property and protection of intellectual property. This is similar to the first amendment of the Constitution which is the freedom of religion, speech and the press.

Mr. Walid goes through Amendments and compares them to that of Sharia. He first states that Muslims believe that one significant difference between the Constitution and that of Sharia is that the Constitution was written by men where as the Quran was written divinely through revelations and inspirations from Allah. He continues to explain that unlike the Constitution to be a jury member in an Islamic case one must be fluent in Arabic to interpret and decipher texts and verses of the Quran to help develop their meaning and application in a case.

The presentation of Islamic Law was well received. Some evening classes attended the event to help further their understanding of Islamic culture and society. Mr. Walid was unable to stay in the Sault for a length in time due to it being Ramadan one of the busiest times of the year. When asked what he thought of Sault Sainte Marie, he said "well, I was here last year and didn't get to see much and I haven't even been here a day. Its a nice place." Mr. Walid continues his struggle to bring better understanding between Islam and the West one speech at a time.