

Principles of Sharia Law

The aim of Sharia is to protect human rights and welfare. The welfare of humans is based on the fulfilment and protection of necessities. Necessities are matters that worldly and religious life depend upon. The necessities are grouped under five main categories:

Protection of life

- Protection of intellect
- Protection of lineage
- Protection of wealth
- Protection of Religion

The Sharia recognises the importance of these rights for all human beings and aims to preserve these rights in society. The preservation of these rights is regarded as being essential in any just society.

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SHARIA LAW



What is the Sharia?

The Sharia is the Islamic religious, legal and societal code of which all members of the Islamic faith adhere to. The Sharia involves all aspects of a Muslim's life and its core focus is justice. This code is constructed from the study and reflection of the holy scripture of the Muslims (The Quran) and the lifestyle of the prophet Muhammad [blessings of God upon him]. Sharia translates to the Arabic expression "The clear, well-trodden path to water" which shows that Sharia is a way of life which all Muslims follow. Symbolically, just as water is important to human life, so too is Sharia important for the soul. As such, the purpose of Sharia is to make sure the ideals and values including, but not limited to: compassion, kindness, generosity, justice, equality, tolerance and diversity are followed by Muslims, and in contrast: tyranny, cruelty, selfishness and exploitation are discouraged.

Sharia or Australian Law

What might surprise most Australian is that most Muslims live according to the Sharia everyday of their lives. Muslims live and follow the Australian law as the Sharia does not infringe or go against Australian law. Most of the Sharia is concerned with governing how Muslims live their daily lives, such as the requirements of prayer or how to give charity, and serve the community. Much like most people will have passing knowledge of the law such as what the general speeding limits are and their basic rights, a lawyer is usually consulted when more specific and comprehensive knowledge about the law is needed. For the most part, the average Muslim also knows the general features of the Sharia enough to guide them in their daily religious duties but rely on Islamic scholars for expert opinion.

Muslims are accustomed to obeying the law of the land as well as the Sharia, since obedience to legal authorities and the law - Sharia or otherwise - is itself a Sharia requirement. As long as Muslims are not required to do anything against their religious requirements, a Muslim is expected to be a law-abiding citizen.

Academics and cultural experts have said that a lack of education about Islamic concepts such as the Sharia may result in misunderstanding, hate or fear against Islam and Muslims. It's important to not just rely on a single perspective or outlet to inform your views about Sharia Law. It is a broad legal system that covers every aspect of living. As such it can be confusing for people not familiar with Islam and easily misunderstood. The best method is to ask your local imam or Islamic scholar for information.

An important part of Sharia law is that it is established to protect human rights and freedoms. For example Chapter 109, Verse 6 of the Qur'an says: For you is your religion, and for me is my religion.

Most Australian Muslims already practice Sharia in their daily lives as the majority of the Sharia relates to personal religious matters such as how to perform the prayers and lead a virtuous life. Hence there is no conflict between following the Law while practicing one's religion.