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Adrian N. Vasquez
Grant High School

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Qur'an and Constitutions
Sharia in Modern Muslim Democracies

Adrian Vasquez
Grant High School
Donald Gavitte
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Abstract

In contemporary society there has seen a gradual shift in the politics of the Muslim world toward more democratic constitutions. This shift can be seen in the aftermath of successful uprisings in Tunisia and Egypt during the Arab Spring as well as isolated cases in other countries. The change echoes those that resulted from the Protestant Reformation's challenge of the Catholic Church's authority in 16th century European politics. By looking at the ideas of early constitutionalism in Europe that supported liberalism, it is possible to compare those with the goals of constitutions of new Muslim democracies. Though in many cases the shift towards a liberal constitution involves secular reform, the case of Nigeria shows that Sharia can also be used within the constitution to guarantee personal freedoms.

Introduction

Whether due to ignorance or prejudice it is easy for people in the west to view Islam as an archaic and monolithic entity. One of the more talked about aspects of Islam is *Sharia* as a code of law and ethics in Muslim states. At first glance Sharia can look as though it has remained the same for centuries - this however couldn't be further from the truth. Ever since their independence in the 1950s Muslim states have experienced a shift towards constitutionalism such as what was seen in the events of 2010 and 2011 that became known as the Arab Spring.¹ In this case Tunisia and Egypt, as well as in more isolated cases such as Nigeria and UAE, have utilized independent use of the Qur'an comparable to the ideas of the Protestant Reformation that challenged religion's role in society and government which would lead to power being transferred from a few powerful people to larger populations.

¹ The Arab Spring started in Tunisia with a revolution against the autocratic regime of Ben Ali. The revolution would then spread via social media to most other Arab countries. The revolutions were in support of democratic principles such as the establishment of elections and or expanded rights. Only the revolutions in Tunisia, Egypt, and Libya would lead to a change in government. Revolutions in Yemen, Syria, and Libya sparked ongoing civil wars.

Sharia and the Qur'an

After the death of Muhammad, Islam had lost its prophet along with its communication with god. No longer could the faith depend on the judgement of Muhammad to settle disputes or make legal precedent. From that point on many different schools of thought emerged and interpreted the religious sources of information differently. The most common sources are the Qur'an, *hadith*, and *sunnah*. The Qur'an is a collection of suras, messages from God, that were told to Muhammed and were subsequently written down. It is the core source of Islamic theology. This collection of advice given to Muslims is known as Sharia. Sharia translates to "the path to water" which is a guide to reach religious salvation by following the direction of God. Islam is a complete system that guides people about their lives, the functions of governments, and societal ideals. Thus as well as guiding Muslims to do things as commanded by God Sharia has requirements on rulers to also act piously. As a result Sharia is manifested in traditions as well as rules dictated by the government. When it comes to governing, Sharia can manifest as certain economic systems or rulings in court cases. Thus it can be important for Muslims to have Sharia in government.

There are other important sources of guidance that Muslims draw from depending on their school of thought. They are *hadith* and *sunnah*. Rather than messages from god transmitted through Muhammad into the Qur'an these other sources use quotes and the actions of Muhammad to interpret what god would wish to happen in a certain situation. *Hadith* are specifically quotes of Muhammad while *sunnah* are actions of Muhammad and his followers as well as traditions of Muslims in their local regions. A well known example of these are the *sunnah* regarding beards on Muslims. According to the Shia who strictly follow the Qur'an beards are not *fardh*, a command from God, because it does not appear in the Qur'an. Sunnis follow the *hadith* and thus are often bearded.² The spread of Islam then exported this part of Arab *sunnah* to other parts of the

² al-Bukhari. "Sahih al-Bukhari 5893" no. 7: 65. <https://sunnah.com/bukhari:5893>

Muslim world. Sharia is the interpretation of God's law for believers. For most of history the people who interpreted God's commands were the *ulema*. They are Islamic scholars who are well versed in Muslim theology. *Ulema* held many positions of power such as lawyers, judges (*qadis*), and professors and held a monopoly on Sharia law. The individual interpretations of Sharia are known as *fiqh*, and throughout Islam's history there have been many different schools of thought with different interpretations of the Qur'an. Within a school of thought *ijma* or consensus, can be reached. This pluralistic form of theological reasoning that was open to more debate was part of what allowed Islam to spread easily through conquered lands. The Catholic church in Europe on the other hand was an exclusive group with more power.

Development of Constitutionalism and Muslim Reactions

In medieval Europe the absolute religious authority was the Papacy. The spiritual power of the Pope derives from Saint Peter who was the head of the Twelve Apostles. God's will is communicated to Catholics through the Pope who then controls descending levels of religious authorities and what they preach. The Pope and other high religious authorities had a monopoly on religious thought because of the Pope's spiritual position as well as the fact that at the time the Bible was mostly copied in Latin.³ Because reading the Bible required a higher education in order to be literate in Latin, religious officials would dispense church doctrine without the people being able to interpret God's message independently. The language barrier excluded commoners and even some local religious authorities from being able to understand the Bible further than what was told by the church's top authority. The singular interpretation of Christianity was unsatisfactory for Catholics living in disunified nations such as Germany that had

³ A major point of early protestant groups was having a closer connection to God and being able to define that connection. Rather than being told what to believe these groups would interpret the Bible as they saw fit. Protestants such as Martin Luther disliked indulgences because of its requirement of wealth rather than true faith to ensure entry to heaven. Calvinists as well as others believed that one's fate was predestined, but also that hints as to one's fate could be seen from their success in life. This manifested as a strong work ethic that would later develop new economic practices in Europe.

no unified political entity through which to negotiate with the church. Indulgences were a sort of tax paid to the church to pay off one's sins. In kingdoms such as France or Spain indulgences went back into the community, but indulgences from Germans often went to fund grand public works in Rome.⁴ The combination of feeling robbed and not having a say in their faith were the primary reasons for the Protestant Reformation in Europe during the 16th century. A key driver of the Reformation was the printing press that allowed common people to read and interpret the Bible. This led to an explosion of different interpretations of the Bible. Though Europe would be plunged into decades of brutal religious wars, the ideological climate that remained after the dust settled was much more disunified than before. With the Catholic Church's monopoly on thought dissolved, increasingly new ideas such as from the Scientific Revolution and the Enlightenment emerged and spread.⁵ One such new idea was constitutionalism as a means of reigning in the monarchs and providing more freedoms to the people. In the writings of John Locke, the government is bound in a social contract with the people it serves.

To conclude, The power that every individual gave the society, when he entered into it, can never revert to the individuals again, as long as the society lasts, but will always remain in the community; because without this there can be no community, no commonwealth, which is contrary to the original agreement... But if they have set limits to the duration of their legislative, and made this supreme power in any person, or assembly, only temporary; or else, when by the miscarriages of those in authority, it is forfeited; upon the forfeiture, or at the determination of the time set, it reverts to the society, and the people have a right to act as supreme, and continue the legislative in themselves; or erect a new form, or under the old form place it in new hands, as they think good.⁶
(Locke, 1690, Sect. 243)

⁴ Varickayil, Robert. "Social Origins of Protestant Reformation." *Social Scientist* 8, no. 11 (1980): 2–3 & 7. <https://doi.org/10.2307/3516750>.

⁵ Gregory, Brad S., and Ingolf U. Dalferth. "Disembedding Christianity.: The Reformation Era and the Secularization of Western Society." In *Reformation Und Säkularisierung: Zur Kontroverse Um Die Genese Der Moderne Aus Dem Geist Der Reformation*, 37. Mohr Siebeck GmbH and Co. KG, 2017. <http://www.jstor.org/stable/j.ctt2250vdq.5>.

⁶ Locke, Dave G, Chuck G. "Second Treatise of Government." *Project Gutenberg*, (2003): Sect. 243. <https://www.gutenberg.org/files/7370/7370-h/7370-h.htm>.

He believed that a constitution, upheld by Parliament, was the best way to fulfill the social contract because the elected parliament would have the interests, safety, and liberty of the people in mind. Constitutions limit what the government can do as a means of preventing overreaching. His writing was made to support the new government that took hold after the Glorious Revolution of 1688.

Naturally this view is opposed to the top-down rule such as seen in the Catholic Church of pre-reformation Europe or later absolutist regimes. Locke's writing was also a challenge of the absolutist government and their supporters such as Thomas Hobbes who wrote *Leviathan* in 1651. The Glorious Revolution in England established a constitutional monarchy that put power squarely in the parliaments hands. As well as ideas of constitutionalism Europe would develop new ideas regarding economics and society. Its new societal factors led to yet more changes such as gradual acceptance of industrialization and its consequences. With its own history and ideological climate the Islamic world did not go through the same religious and political changes as early modern Europe.

During the middle ages the Islamic world went through a golden age characterized by flourishing culture and ideas. Sciences advanced while they were patronized by rulers. As well the ideological culture of Islam was open as part of its tradition. This allowed for debate on an even plane without too much of a preference towards one school of thought. With the infrastructure provided by the Abbasid empire the Muslim world was able to maintain this golden age for many centuries. The siege of Baghdad in 1258 is seen as a turning point in Islam's history because after the fall of the Abbasids there was less holding the Middle East together. In their place the Ottoman and Safavid empires filled the gap of Muslim political entities. However the divisions of belief between the Shia Safavids and Sunni Ottomans divided the Muslim World. Without the centralized Abbasid state that could more easily facilitate trade, Muslim sciences and culture could not get as much patronage. Technological growth slowed and the Muslim world would find itself lagging behind a Europe that had found a way around land trade routes to the East that used to serve as a large source of revenue in the

Middle East and India. As a result of the uncertainty of the situation a debate that has yet to have been concluded is what the course of action for Muslims should be regarding the change in the world and the global power shifting to the West. European individualism developed partly out of the protestant focus on personal relationship with God and a more widely available interpretation of the Bible that put more power in personal faith than with the Catholic Church. In England these ideas manifested as liberalism which promoted individual rights and freedoms, including more free trade. These social changes promoted broader economic changes that along with colonial gains in the Americas would add up to make Europe increasingly influential. Eventually this power grew to the point that it threatened non-Western peoples.

Muslims had differing views on how to catch up to Europe's position. The need to adopt new ideas came from the threat of expansionist European powers exerting their political influence around the world. Some countries tried to adapt and stay competitive by using Western ideas in order to replicate the political and military organizational strength of Western empires. Others tried to develop their countries without sacrificing Muslim ideals or replacing their tradition with Western social ideas that didn't fit in neatly into local ethics. The Followers of Wahhab hold a strict fundamentalist interpretation of the Qur'an that staunchly opposed Western influence in Muslim politics.⁷ An example of western organizational aspects being added into their state was Persia's attempt to modernize its army, establish a constitution, and implement a short-lived parliament. Under threat from foreign subversive actions the Persian Shah made a parliament to bring Persian together and hopefully repel British and Russian influence. The decentralized Iranian state was unable to enforce its paper

⁷ Followers of Wahhab look at the Qur'an and *sunnah* through a literal lens that seeks to replicate the prophets teachings and life as closely as possible. Along with the strict interpretation of the Qur'an, Wahhabism often follows the ideology of *takfir* that regards all who disagree with their beliefs as non-believers on similar ground with polytheistic faiths. As a result within *takfir* the non-believers must be convinced or fought in order to enlighten them to in this case Wahhabs interpretation through *jihad*, holy war. These practices can be seen in the spread of Wahhabism into Medina and the measures taken by Wahhab and his Saudi allies to convince the people of the city of their beliefs.

constitution from Tehran which later resulted in the parliament being deposed.⁸ Constitutionalism was also attempted twice in the Ottoman empire. The first put some limits on the Sultan but was later dropped. The second was made by the Young Turk Revolution and sought to end despotism in the empire.⁹ It was replaced after the dissolution of the empire itself in the aftermath of WWI, but a new constitution was made for the new Turkish state under Mustafa Kemal Ataturk. After its War of Independence the Republic of Turkey would make a new constitution, still under Ataturk, that laid the foundations for a democratic Turkey and would later be replaced in 1960.¹⁰

The influence of colonialism would go on to shape the path of Muslim politics. Sharia law and other Muslim philosophical traditions were replaced with Western styles of rule. However as subjects of empires Muslims were often not permitted to participate in democracy and instead had their land exploited for resources. An example is Algeria that was politically integrated into France but the Muslim majority population couldn't vote. When European powers left their colonies, by force or otherwise, often the new countries had powerful men take control in a monarchy such as in Tunisia with Habib Bourguiba and Libya with King Idris. In some cases such as in Lebanon or Syria constitutions were established. However discontent or unrest during the Cold-War era led to power changes that often resulted in dictatorships or military coups.¹¹ Examples include that of Ben Ali in Tunisia, Muhammad Gaddafi in Libya, and the Free Officers Movement in Egypt. A common trait of these states, as in most dictatorships, was lack of a free press or expression of thought. This control over ideas was what would eventually lead to the Arab Spring of 2010. However each state and its people had unique reasons to bring change to their countries.

⁸ Keddie, Nikki R. "The Iranian Power Structure and Social Change 1800-1969: An Overview." *International Journal of Middle East Studies* 2, no. 1 (1971): 3–20. <http://www.jstor.org/stable/162268>.

⁹ Gunasti, Susan. "The Late Ottoman Ulema's Constitutionalism." *Islamic Law and Society* 23, no. 1/2 (2016): 89–90. <http://www.jstor.org/stable/43997259>.

¹⁰ Versan, Vakur. "EVOLUTION OF THE RULE OF LAW AND THE NEW CONSTITUTION OF TURKEY." *Pakistan Horizon* 17, no. 2 (1964): 123-124. <http://www.jstor.org/stable/41392792>.

¹¹ Examples include the revolutions of Ben Ali in Tunisia, Muhammad Gaddafi in Libya, and the Free Officers Movement in Egypt that would later give way to a republic.

Constitutions in the Arab Spring and Muslim World

The place from which the Arab Spring would start was Tunisia. Its president at the time, Ben Ali, had seized control of the country in a coup 23 years before the events of 2010. Though officially the President of Tunisia, Ben Ali was in reality a dictator. During his rule the media was censored and the government was characterized by nepotism and corruption. Nearly half of Tunisia's commercial elites were related to Ben Ali.¹² Despite this, Tunisia was seen as a relatively modern country with the largest middle class of any Arab country, the best education of any Arab country, expanded women's rights, and a healthy tourist economy. The problem was that in reality Tunisia was inefficiently managed, poorly maintained, and did not offer many chances of success.¹³ After the exile of Ben Ali from government the Military eventually stepped down which allowed a new government to be put in place. The new Tunisian constitution was written in 2014. Other than implementing elections the constitution did not change too much regarding religion. Under Ben Ali there was freedom of religion as long as it did not upset his authority.¹⁴ ¹⁵ After the revolution there was a failed movement by *Ennahda*, an Islamic group, to use Sharia law as a reference for Tunisian legal jurisprudence. Like the old constitution there are no limits on religious freedoms, and religious incitement of violence is prohibited. Tunisia still retains large influence from Islam and as stated in the third preambular paragraph of the constitution it is devoted to reform based on Muslim identity.¹⁶ As well the first article of the constitution names Islam as its primary religion, but it is still a civil state as stated in article two, thus separating it from Sharia law.

¹² Anderson, Lisa. "Demystifying the Arab Spring: Parsing the Differences Between Tunisia, Egypt, and Libya." *Foreign Affairs* 90, no. 3 (2011): 2–7. <http://www.jstor.org/stable/23039401>.

¹³ Anderson, "Demystifying the Arab Spring." 2.

¹⁴ Aswad, Evelyn Mary. "The Role of Religion in Constitutions Emerging from Arab Spring Revolutions." *Georgetown Journal of International Affairs* 16, no. 1 (2015): 165.. <http://www.jstor.org/stable/43773677>.

¹⁵ Under Ben Ali, Islam is noted as the state religion, but does not mention Sharia in any place in the constitution. As well, religious political parties were banned. As well Articles 5 and 7 protect freedom of religion and equality under the law but lack specifications or use broad language that could be interpreted in many ways including in opposition of either of the rights mentioned.

¹⁶ Aswad, "The Role of Religion in Constitutions Emerging from Arab Spring Revolutions." 165.

Egypt's constitution went through more changes in the 21st century under different regimes. Under the authority of Mubarak the country was a dictatorship, and like in Tunisia the people of the country sought to undo the oppressive regime that kept the people down.¹⁷ After a successful revolution the military took power. As a large part of the economy and with lots of influence in their government, the military stayed in power and made a constitution. This constitution put more weight on Sharia law and on Muslim schools for court decisions.¹⁸ ¹⁹ Mubarak's constitution was independent from Islam in order to hold more power. When a new constitution was written in 2014 after the military was no longer in power, article 2 reverted to how it was under Mubarak which allowed for the Supreme Constitutional Court to use jurisprudence outside of Sharia law.²⁰ This made the state more secular and more democratic. Like in Tunisia, rights of non-Muslims were upheld, but both countries failed to specify on what lines people couldn't be discriminated against.

In 1999, Nigeria allowed Sharia law to be applied in the majority Muslim population states in the north of the country. Because of the events that would occur due to half the country being under different laws it would be a controversial topic within Nigeria. A major source of contention was the gray area regarding how Sharia law fits, if at all, into the constitution. Sharia was first implemented in the Nigerian state of Zamfara by Sani Yemi as a fulfillment of a campaign promise.²¹ This movement spread across other Muslim majority states. What allowed for this movement was the 1999 constitution of Nigeria. It ensured religious freedoms but also limited divisions of the country on sectarian lines

¹⁷ Anderson, "Demystifying the Arab Spring." 4.

¹⁸ Aswad, "The Role of Religion in Constitutions Emerging from Arab Spring Revolutions." 161-163.

¹⁹ The 2012 constitution under military rule put more weight on Islam than the prior Mubarak constitution as well as the following 2014 constitution. Article 4 of the 2012 constitution gave the leading Islamic school of Egypt, Al-Azhar, a role in influencing Egyptian jurisprudence. This limited the freedom of the Supreme Constitutional Court. The 2014 constitution removed the influence of Al-Azhar on the SCC's precedents via removing article 219. As well, article 74 brought back the Mubarak era policy of banning religious political parties. A remnant of the 2012 constitution remains with article 64 that maintains that only monotheistic or "revealed faiths" have equal protection under the law.

²⁰ Aswad, "The Role of Religion in Constitutions Emerging from Arab Spring Revolutions." 161-162.

²¹ Kendhammer, Brandon. "The Sharia Controversy in Northern Nigeria and the Politics of Islamic Law in New and Uncertain Democracies." *Comparative Politics* 45, no. 3 (2013): 294.

<http://www.jstor.org/stable/43664322>.

such as by banning religious political parties among other things. However the policies regarding the “federal character” of Nigeria allow groups to expand the systems in place for “religious fulfillment.” In the case of Nigerian Muslims it was within their religious right to enact Sharia law. Earlier during the drafting of the constitution in 1976 and '77 Muslim communities pushed for a Federal Sharia Court of Appeals (FSCA) to settle issues according to Muslims principles. Christians in the south however rejected and blocked the implementation of the FSCA.²² The Muslim side of the debate on religious rights started by the controversy regarded democracy as a means to Islamic law rather than an obstacle. Once Sharia enacted Northern States began using Sharia law to put into place anti corruption policies. There was support for proposed religious sanctions to criminal penalties such as amputation for misuse of public funds.²³ However popular in was in the North, the opposition of Sharia came from christians living in the Northern states and those in the South against what they saw as implementation of a state religion. The constitution also bans a state religion being declared in Nigeria. The South, that follows secular law, saw Sharia as going against the constitution because it went against the secular nature of the Nigerian constitution that was meant to protect all religious freedoms. There were instances of bias in church funding in the North and discontent among some women who were unhappy with the religious limitations on their rights. As well, sectarian violence that had an upsurge in the 2000s with Boko Haram and others shows that in new democracies it can be hard to come to democratic consensus. Islamist groups see the current Sharia law as not “true Sharia” because it has certain constitutional restrictions. The constitution has the restrictions because Sharia could threaten the rights of minorities.

The political history of the UAE starts with a unified grouping of emirates under the rule of the British empire. Despite Western rule the emirates were free to use their own judicial systems. Each emirate was led by a local sheik with tribal political structures. When a dispute came up in the city-state-like emirates it

²² Kendhammer “The Sharia Controversy.” 295.

²³ Kendhammer “The Sharia Controversy.” 300.

was referred to the Sheik or a Sharia Judge. Without a unified government customary laws were the primary source of unwritten legislation.²⁴ Around the time the British stated they would withdraw from their territories in the Persian Gulf by 1971 the emirates of Abu Dahbi and Dubai invited the other emirates to make a federation. The Federal Supreme Council they made with all the 9 Arabian emirates under the British planned how the federation would function. In the end Bahrain and Qatar would set off on their own, thus leaving the seven that make up the UAE today. Before the legislation was made for the new country, emirates and small political organizations settled disputes without Sharia because the people in the same tribes were related and often settled disputes with compensation rather than criminal penalties. As emirates interacted with people from other parts of the British Empire *Sharia* was needed in order to settle disputes regarding the outsiders who had no familial connection to the emirates.²⁵ British law was also present before the withdrawal, but did not have much of an influence. Instead the UAE's legislation took more inspiration from other Arab states like Egypt. The two most powerful emirates of the federation, Abu Dahbi and Dubai, were quick to put in place modern secular legislation such as civil courts. Modernists who wrote legislation for these emirates and the federation made swift moves to secularize the constitution and legal system. For other emirates this movement was too fast. People wanted their cases heard by the Sharia court rather than by a civil secular one. The speed of modernism also slowed the process of unifying the legislative system of the UAE. Disagreements prevented one law from being supported by all seven emirates. A slower process that met the concerns of the Muslim Population rather than adopting foreign legislation would lead to a smoother process of unification. An example of this struggle to unify is in the constitution. It is left vague whether the main source of legislation is Sharia or secular.²⁶ However as recently as 2020 the UAE has

²⁴ Butti Sultan Butti Ali Al-Muhairi. "The Development of the UAE Legal System and Unification with the Judicial System." *Arab Law Quarterly* 11, no. 2 (1996): 116–60. <https://doi.org/10.2307/3381593>.

²⁵ Butti Sultan Butti Ali Al-Muhairi. "The Development of the UAE Legal System." 122–123.

²⁶ Butti Sultan Butti Ali Al-Muhairi. "The Position of Shari'a within the UAE Constitution and the Federal Supreme Court's Application of the Constitutional Clause Concerning Shari'a." *Arab Law Quarterly* 11, no. 3 (1996): 219–44. <https://doi.org/10.2307/3381877>.

made a step towards secular jurisprudence in family matters with the amendment of its family law. The law applies to family matters such as divorce and inheritance. Some changes include legal equality between men and women, the establishment of a specialist court for hearings of non-Muslim affairs, allowing divorce without either person accepting fault, and inheritance without a will being distributed equally among children without regard for sex.²⁷ These changes show the rapid exchange of ideas that can come from interaction with other societies. It is also an example of how the big cities like Abu Dhabi and Dubai are increasingly separating themselves from the more traditional emirates of the UAE. The disconnect between the emirates has sparked disagreements between them and delayed further unification of the separate federated judicial systems in the UAE.

Jurisprudence in the Islamic world has evolved in a myriad of different ways over the past century. Some states that maintained independence in one form or another during the era of European imperialism made changes to become like the countries in Europe. Often this meant reforming systems beyond Sharia law such as the cases of the late Ottoman empire and Persia. Post colonial Muslim states such as Tunisia, Egypt, and the UAE have made similar changes in their governments. In the constitutions of Tunisia and Egypt the supreme courts can make decisions with secular sources of jurisprudence. These civil courts are able to uphold international human rights without influence from religious authorities. An example is increased rights for women and followers of other religions. In the UAE however the federal constitution that doesn't specify a secular or Sharia source of jurisprudence allows for both to be used. Cases regarding the country as a whole often go to civil courts while lower level disputes go to local Sharia courts. Nigeria's politics are also divided by Sharia and secular law as well as religious affiliation. Under a secular constitution the Muslim majority states use Sharia law. These laws have restricted freedoms of the populace such as by banning music as well as rights of women. However

²⁷ Abdo Rafiq, "United Arab Emirates: Abu Dhabi - New Family Law For Expats," *mondaq*, Feb 4, 2022, <https://www.mondaq.com/divorce/1150212/abu-dhabi--new-family-law-for-expats>

they have also been more efficient in dealing with corruption. Within a democracy that supports religious freedom both sides of the argument can reason that Sharia is legal as a part of Muslim faith or unconstitutional because of some specific ideals it upholds.

Conclusion

These changes to modern government do not reflect a change in Islam itself but rather its influence in the lives of its followers. Rather than governing the lives of people as well as economics, politics, etc it has been pushed increasingly away from government and restricted to guiding individuals. The Protestant reformation was a religious reformation first, but the system it went against and the characteristics of the new sects changed politics in Europe and beyond in the following centuries. The Protestants went against the Catholic Church and its absolute authority over religion in order to have a more individual relationship with God rather than one facilitated by the Pope. Before, the Catholic Church was able to influence politics in Europe and crown or excommunicate emperors. After the Reformation and religious wars in Europe the church was sidelined by governments that increasingly made decisions without the approval of the Church. This was also a step away from authoritative control that would lead to power being managed by constitutions. Though not a change in the religion itself, Muslim states have seen a similar change in the role of Islam in politics. Some governments have used secular laws to make changes that grant more personal freedoms without religious oversight such as in Egypt's supreme court. Others like the case of Northern Nigeria have used Sharia in the constitution to limit out of line leaders. As well as establishing secular laws Muslim states ingrained in the world economy similar to the UAE have been able to further connect with and be accepted by western economies. By establishing a constitution, with or without Sharia, freedoms can be given to the people in the country it presides. The Quran does not reject the ideals of modern constitutions.

So their Lord responded to them: "I will never deny any of you—male or female—the reward of your deeds. Both are equal in reward. Those who migrated or were expelled from their homes, and were persecuted for My sake and fought and `some` were martyred—I will certainly forgive their sins and admit them into Gardens under which rivers flow, as a reward from Allah. And with Allah is the finest reward!" (Ali 'Imran 3:195)

The meaning of the passage is that Allah doesn't discriminate between who should be permitted into heaven because of things out of their control. It supports individual rights and considers all equal. This reflects the Tunisian and Egyptian constitutions' declaration of religious freedoms and illegality of discrimination. Muslim states are not limited by the Qur'an and its ideals.

We have revealed to you `O Prophet` this Book with the truth, as a confirmation of previous Scriptures and a supreme authority on them. So judge between them by what Allah has revealed, and do not follow their desires over the truth that has come to you. To each of you We have ordained a code of law and a way of life. If Allah had willed, He would have made you one community, but His Will is to test you with what He has given `each of` you. So compete with one another in doing good. To Allah you will all return, then He will inform you `of the truth` regarding your differences. (Al-Ma'idah 5:48)

This passage says that different cultures, in the eyes of Allah, exist not in spite of each other but simply as neighbors. The differences between peoples are arbitrary and shouldn't count for anything. It reflects the pluralistic constitution in Nigeria that allows Muslims, Christians, and other faiths to exist in one country. As well it agrees with the steps of the UAE to allow greater freedoms for people of different faiths. Secularism may separate the religion from the state, but the Islamic ideals can remain.

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