Sharia Law

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Markham and Marilyn Coleman identified three patterns of coparenting among shared physical custody parents. Some parents get along well with one another and cooperate to raise their children; these parents are “always amicable” parents. “Continuously contentious” parents have highly conflicted relationships and try to reduce the amount of communication and contact that occurs between the parents. Finally, “bad to better” parents have conflictual relationships at the time of the divorce, but these relationships improve over time to where the parents are able to cooperate and communicate to share parenting of their children.

Advantages and Disadvantages of Shared Custody

A number of advantages of shared custody arrangements have been identified for both parents and children. Children in shared custody arrangements have fewer emotional and behavioral problems and better school performance and family relationships than children in sole custody arrangements. Children also benefit from their continued relationship with both parents after divorce.

Parents who have shared custody arrangements report having better relationships with their former partners than sole custody parents. Mothers who share custody also feel less parenting stress, perceive their former partners as more supportive, and report sharing more parenting responsibilities than mothers with sole custody. Shared custody fathers are more involved in their children’s lives and are more likely to pay child support than noncustodial fathers.

There are also disadvantages to shared custody arrangements. Shared physical custody arrangements may lead to decreased stability for children because they have to go between two households with two sets of rules and expectations and, at times, differing socioeconomic statuses. Difficulties also arise when one parent wants to move to a different area or state.

Shared custody arrangements can also be challenging in situations in which the parents have a conflictual relationship. Shared custody ties parents together, which may mean an increased amount of contact. This increased contact may increase the conflict between parents and may also increase the likelihood of children feeling caught in the middle.

Challenges to Success

A number of factors can decrease the likelihood of shared custody arrangements being successful. In cases of an abusive or controlling parent, when parents are not able to set personal issues and conflicts aside, when the parents have poor communication, when parents have dramatically different lifestyles or values, or when one parent is not perceived to be a good parent, the likelihood of the shared custody arrangement succeeding decreases.

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See Also: Child Custody; Coparenting; Custody and Guardianship; Divorce and Separation; Tender Years Doctrine.

Further Readings


Sharia Law

Sharia is the Islamic legal code that serves as an ethical, practical, and religious guide for practicing Muslims. Sharia has been variously translated from Arabic as "the way," "the correct path," or literally "the path leading to the watering place." Sharia has Sunni and Shia variations as well as different schools of jurisprudence within those traditions, but all sharia is rooted in the Qur’an (or Koran, the primary sacred text of Islam) and the lived example of the Prophet Muhammad, as discussed in the hadith (a body of traditions concerning the Prophet Muhammad’s life and revelations). These two sources are held to be mutually supportive.
With reference to sharia, the opening chapter of the Qur'an emphasizes a "straight path" of conduct as the only way for individuals and communities to reach their highest potential and joy in this life, as well as the hereafter. The Qur'an also mentions that the role of the Prophet (Muhammad) was not only to deliver the Qur'an, but also to explain and exemplify it. Muslims believe Muhammad honored this charge and that his sayings and actions were consistent with the sacred teachings of the Qur'an. The Qur'an and hadith explicitly and implicitly emphasize that following the example of the prophet in word and deed is the essence of sharia law and of being Muslim. A violation of sharia law may or may not involve a violation of civil law, but regardless of the civil law in the Muslim's country of residence, a violation of sharia is held as a violation against Allah (God).

Before Muhammad, the diverse tribes of the Arabian Peninsula held a mixture of pagan and superstitious beliefs. In addition to holding varied religious beliefs, tribes followed divergent legal traditions and moral codes. These pluralistic realities contributed to nonuniformity, contention, and chaos among the tribes of ancient Arabia. According to Muslim belief, Muhammad introduced a new legal and religious structure, dictated to him by divine revelation, into the Arab world. Muhammad commenced the establishment and development of sharia in the first Muslim community (Medina) in 622. The Arabian caliphate and other schools continued to develop sharia between the 7th and 12th centuries.

**Haraam and Halal**

Sharia divides actions into two categories, namely, *haraam* (forbidden) and *halal* (permitted), but more nuanced gradations are also delineated. These levels include the following range of action: forbidden, not recommended, permitted, desirable/meritorious, and obligatory. In this manner, sharia law outlines the way of life for Muslims in an explicit and directive way that includes numerous prescriptions and proscriptions. The purpose behind these directions is that clear and prophetic guidance is considered necessary to successfully navigate life's path. Sharia includes five main branches or domains, including laws and direction regarding ritual *ibadah* (worship), *mu'amalat* (contracts and transactions), *adab* (morality and manners), *i'tiqadat* (beliefs), and *uqubat* (punishments).

Both the Qur'an and the traditions and teachings of the Prophet Muhammad as recorded in the hadith place a great deal of importance on issues related to family, marriage, and children. More specifically, sharia outlines guidelines for mate selection and marriage, as well as parameters for divorce (which is strongly discouraged but permitted as a last resort by the Qur'an), as well as details regarding inheritance practices. Approximately one-third of all the laws contained in the Qur'an relate specifically to marriage and family life.

Although sharia is primarily directed at personal religious life, sharia also includes myriad aspects of civil and criminal law. In nations where Islam is the state religion, sharia is applied not only in private religious life but also to public and civic life (and to family law in particular). In nations where a majority of the population is Muslim, sharia is often incorporated into secular law, although the degree of influence varies widely.

Two fundamental differences exist between traditional sharia and Western law. The first is expans or scope. The scope of sharia encompasses and regulates not only civil and civic action (like Western legal systems) but also prescribes relations with Allah (God) and conscience. This scope collides with Western personal and political ideals, including freedom of religion and separation of church and state. The second fundamental difference between traditional sharia and Western law results from the Muslim belief that Muhammad, as Allah's messenger, delivered the immutable and unchangeable legal word from Allah. As a result, sharia is theoretically static and absolute, in contrast to the ever-changing system of Western law. Over the past two centuries, the legal, cultural, and commercial influence of Western civilization has increasingly influenced the views of sharia in nations where sharia has historically been applied.

Differences of opinion regarding the present and future of sharia have arisen within Islam, including the following three schools of thought: traditionalists who hold that the laws of nation and state must be grounded on traditional sharia, reformers who believe that sharia can be adapted to better meet contemporary needs, and secularists who see sharia as invalid in the domains of nation and state. Many scholars see the question of whether sharia can be
adapted to meet the needs of contemporary Muslims as the core dilemma in Islamic law today.

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See Also: Divorce and Religion; Islam; Middle East Immigrant Families.

Further Readings

Shelters

Shelters are an emergency or temporary form of housing for those who are homeless or unable to return to their home. The term shelter denotes not only the physical space or building used for shelter but also its intent and usage as a temporary residence during a time of crisis. There are more than 3,300 shelters nationwide serving more than 1.5 million people each year. Shelters are used for a variety of different reasons and are operated by a number of different public and private entities. Homeless shelters, family homeless shelters, domestic violence shelters, and emergency or disaster shelters are the most common forms of shelters.

History
The use of shelters began in the late 1800s, emerging along with other social reformations of the time. Operated by settlement houses, volunteer groups, and religious institutions, the earliest shelters were sparse and underfunded but provided food, shelter, and other basic services for the poor and homeless.

This became the standard model for shelters throughout the 20th century, tailoring services primarily to those who were "down and out." Major changes in shelter operation came in the mid-1970s and early 1980s as high numbers of veterans returning from the Vietnam War and patients discharged from mental hospitals due to deinstitutionalization ended up on the streets. This led to both an increase in shelters and the diversification of services to account for physical and mental health needs, substance abuse, and other issues commonly faced by shelter users.

Types of Shelters
State or local governments, especially in larger cities, often fund and operate a single, or series of, shelter(s) or work in conjunction with private organizations to operate them. These shelters are often governed by specific rules and regulations decided by the governmental body. Other shelters are operated solely by private entities, such as nonprofit organizations or churches.

How a shelter is operated can vary widely, depending on its purpose and target clientele. Some shelters may only be open for a short time in response to an emergency or disaster, or only during evening hours or winter months, while others may serve as a full-time temporary residence. Certain shelters may be designated as "dry" shelters, indicating that those who are under the influence of alcohol or illicit substances are not allowed. Shelters that allow residents to be under the influence are commonly referred to as "wet" shelters. Some shelters may have security measures in place or security staff, while others may be limited in ensuring safety. Depending on size, location, population, and purpose, some shelters utilize metal detectors, room searches, armed police officers, or video surveillance, while others may simply have a few staff monitoring the entrance and exit. Shelters vary greatly in size, with some housing only a handful of individuals or families, and others reaching capacity at nearly 1,000 people.

Many shelters cater only to a specific population, such as families, youth, domestic violence victims/survivors, or individuals facing mental health and/or substance abuse challenges. Shelters vary in terms of their structure, rules, and regulations. Some shelters may allow residents to come and go as they please, while others may put restrictions on the length of stay, number of stays, or curfew. Food, personal care