

# sharia law for the non muslim

## Sharia Law for the Non Muslim: Understanding Its Role and Impact

**sharia law for the non muslim** is a topic that often sparks curiosity, misunderstandings, and sometimes even concern. While many associate Sharia strictly with Islamic religious practices or legal systems in Muslim-majority countries, its implications and applications can extend beyond the Muslim community, affecting non-Muslims in various contexts. To truly grasp what Sharia law means for non-Muslims, it's crucial to explore its origins, principles, and the diverse ways it interacts with broader legal and societal frameworks.

## What Is Sharia Law?

Sharia, often translated as "Islamic law," is a comprehensive legal and moral code derived from the Quran, the Hadith (sayings and actions of Prophet Muhammad), and centuries of Islamic scholarship. It governs not only religious rituals but also aspects of daily life, social conduct, family relations, and criminal justice in some countries.

However, it's important to recognize that Sharia is not a single, universally applied legal system. Instead, it varies significantly depending on cultural, historical, and regional factors. This diversity influences how Sharia law interacts with non-Muslim populations in different parts of the world.

## The Basics of Sharia Law

At its core, Sharia is designed to guide Muslims toward a life that aligns with Islamic values. It covers five main areas:

- Worship and religious obligations (prayer, fasting, charity)
- Personal conduct and ethics
- Family law (marriage, divorce, inheritance)
- Criminal law
- Economic transactions

For Muslims, Sharia offers a spiritual and practical framework for life. For non-Muslims, the relevance of Sharia depends largely on the legal and cultural context in which they live.

## How Sharia Law Affects Non-Muslims

The relationship between Sharia law and non-Muslims varies widely based on geography, the extent of Sharia's implementation, and the legal systems in place.

## **In Muslim-Majority Countries**

In many Muslim-majority countries, Sharia influences the national legal system to varying degrees. Some countries, like Saudi Arabia and Iran, apply Sharia extensively, affecting both Muslims and non-Muslims. Others, such as Jordan or Morocco, incorporate Sharia primarily in personal status laws (marriage, divorce, inheritance) but maintain secular legal codes for criminal and civil matters.

For non-Muslims living in these countries, Sharia law may impact:

- **Family and personal status issues:** Non-Muslims may be subject to Sharia-based family laws if they marry Muslims or participate in certain legal processes.
- **Religious freedom:** Some countries restrict non-Muslim religious practices or proselytizing, reflecting interpretations of Sharia.
- **Legal disputes:** In some cases, non-Muslims can choose to have disputes resolved under Sharia courts, especially in matters involving Muslims.

It's vital to understand that in many countries, legal protections exist to ensure non-Muslims are not unfairly subjected to Sharia law without consent. However, the degree of protection and enforcement varies.

## **In Non-Muslim Majority Countries**

In countries where Islam is a minority religion, Sharia law usually does not have official legal standing over non-Muslims. Yet, it can still influence the lives of non-Muslims in indirect ways:

- **Family and Community Disputes:** Some Muslim communities in Western countries use Sharia councils or arbitration panels to resolve personal or family matters. These councils operate voluntarily and outside the official legal system, but their decisions can affect community members, including non-Muslims married to Muslims.
- **Workplace and Social Norms:** Understanding Sharia-based customs can help non-Muslims navigate social situations involving Muslim colleagues or neighbors more respectfully.
- **Legal Accommodations:** Some countries allow limited recognition of Sharia principles in specific cases, such as Islamic finance contracts or dietary accommodations, which can impact non-Muslims engaging with these systems.

## **Common Misconceptions About Sharia Law for Non-Muslims**

There are many myths and inaccurate assumptions about Sharia, especially regarding its effect on non-Muslims. Clearing these up can foster better understanding and coexistence.

## **Myth 1: Sharia Law Imposes Itself on Non-Muslims Automatically**

In reality, most countries with Sharia-based legal elements do not enforce these laws on non-Muslims without their consent. Many have parallel legal systems, allowing non-Muslims to follow their own personal laws or civil codes.

## **Myth 2: Sharia Is a Single, Harsh Legal Code**

Sharia is not monolithic. It's a complex set of guidelines subject to interpretation. Different Islamic schools of thought (madhabs) and legal traditions apply Sharia differently, often leading to varied outcomes.

## **Myth 3: Non-Muslims Have No Rights Under Sharia**

Historically, Islamic law recognized protections for "People of the Book" (Christians, Jews) and other non-Muslims living under Muslim rule, granting them religious freedom and legal rights, albeit with some social distinctions. Modern applications often vary but typically include legal protections for minorities.

## **Tips for Non-Muslims Navigating Sharia Law Environments**

If you find yourself living in or interacting with a society where Sharia law plays a role, understanding its nuances can be empowering and help avoid conflicts. Here are some tips:

### **Educate Yourself on Local Laws**

Learn how Sharia is implemented in your country or community. Know which areas of life it affects and whether it applies to non-Muslims. This knowledge helps you make informed decisions, especially in areas like marriage, inheritance, or business.

### **Seek Legal Advice When Needed**

If you're involved in legal matters that could be influenced by Sharia law, consulting with a lawyer knowledgeable in both local law and Islamic jurisprudence can be invaluable.

## **Respect Cultural Practices**

Even if not legally bound by Sharia, many Muslim communities observe customs rooted in Islamic law. Showing respect and openness can foster positive relationships.

## **Engage in Dialogue**

Open conversations with Muslim neighbors, colleagues, or friends about Sharia can dispel myths and build mutual understanding.

## **Sharia Law and International Human Rights: A Complex Relationship**

One of the most debated aspects concerning Sharia law for the non Muslim population involves human rights. Critics often argue that certain interpretations of Sharia conflict with international human rights standards, especially regarding freedom of religion, gender equality, and criminal punishments.

However, many Muslim scholars and activists advocate for interpretations of Sharia that align with universal human rights principles. This evolving discourse highlights the dynamic nature of Sharia and its potential for adaptation.

Non-Muslims living in or visiting countries with Sharia-based legal systems should be aware of this ongoing conversation and the legal protections available through international treaties and local laws.

## **The Role of Sharia Councils and Arbitration Panels**

In some non-Muslim countries with significant Muslim populations, Sharia councils provide mediation and arbitration services for personal and family matters within the Muslim community. These councils do not have legal authority over non-Muslims but can influence outcomes if both parties consent.

Understanding the voluntary nature of these bodies is important for non-Muslims who might be involved indirectly, such as through marriage or business dealings with Muslims.

## **Final Thoughts on Sharia Law for the Non Muslim**

Navigating the concept of sharia law for the non muslim requires an open mind and a

willingness to understand a complex, multifaceted system deeply intertwined with faith, culture, and law. While Sharia primarily serves as a guide for Muslims, its influence can extend beyond, touching the lives of non-Muslims in different ways depending on the context.

By approaching the topic with curiosity rather than fear, non-Muslims can better appreciate the diversity within Islamic jurisprudence and foster respect and coexistence in increasingly pluralistic societies. Whether through legal frameworks, community interactions, or cultural exchanges, understanding Sharia law's role invites a richer dialogue about law, religion, and human rights in our globalized world.

## **Frequently Asked Questions**

### **What is Sharia law?**

Sharia law is a legal framework derived from the Quran and Hadith that governs aspects of Muslim life, including religious, moral, social, and legal matters.

### **Does Sharia law apply to non-Muslims?**

In many Muslim-majority countries, Sharia law primarily applies to Muslims, while non-Muslims may be subject to secular or other religious laws. However, the extent varies by country and context.

### **Can non-Muslims be subject to Sharia law in Muslim countries?**

In some countries, non-Muslims may be subject to certain aspects of Sharia law, especially in matters like family law or personal status, but generally they have separate legal provisions.

### **How does Sharia law affect non-Muslims living in Muslim-majority countries?**

Non-Muslims may need to respect certain public laws influenced by Sharia, but many countries have legal protections allowing them to follow their own religious laws in personal matters.

### **Are non-Muslims allowed to practice their religion under Sharia law?**

Yes, most interpretations of Sharia law permit non-Muslims to practice their own religions freely, though there may be specific restrictions depending on the country.

## **Can non-Muslims choose to be governed by Sharia law?**

In some jurisdictions, non-Muslims can opt into certain Sharia-based legal processes, especially in family or inheritance matters, but this is not universally available.

## **What rights do non-Muslims have under Sharia law?**

Non-Muslims generally have rights to religious freedom, property ownership, and legal protections, but these rights can differ widely depending on the country and legal system.

## **Is Sharia law compatible with international human rights standards for non-Muslims?**

There is debate on this topic; some aspects of Sharia law conflict with international human rights norms, while others are compatible. The impact on non-Muslims depends on implementation and interpretation.

## **How do secular countries with Muslim minorities handle Sharia law for non-Muslims?**

Secular countries typically do not enforce Sharia law on anyone but may allow Muslim communities to follow Sharia principles voluntarily in personal matters, without affecting non-Muslims.

## **What should non-Muslims know about Sharia law when traveling to Muslim countries?**

Non-Muslims should be aware that local laws may be influenced by Sharia, particularly regarding behavior, dress codes, and legal processes, and should respect local customs and regulations.

## **Additional Resources**

Sharia Law for the Non Muslim: Understanding Its Scope and Implications

**sharia law for the non muslim** remains a topic of significant interest and often misunderstanding in contemporary global discourse. As Islamic legal principles govern many aspects of life in Muslim-majority countries, the question arises: how does sharia law apply to individuals who are not Muslims? This inquiry is particularly relevant in multicultural societies and legal frameworks where multiple religious and secular laws intersect. To navigate this complex subject, it is essential to explore the foundations of sharia, its jurisdictional limits, and the practical realities faced by non-Muslims in jurisdictions where Islamic law is implemented.

# What is Sharia Law?

Sharia, derived from the Arabic word meaning “the way” or “path,” refers to the moral and legal code derived from the Quran, the Hadith (sayings and actions of the Prophet Muhammad), and centuries of Islamic jurisprudence (fiqh). It encompasses a wide array of regulations covering religious rituals, family matters, contracts, criminal law, and personal conduct. Unlike a codified legal system, sharia is interpreted differently across various Islamic schools of thought and cultural contexts, resulting in diverse applications globally.

## Sharia Law and Its Jurisdiction

In Muslim-majority countries, sharia often functions as a source of legislation or as the primary legal system. However, its application to non-Muslims is neither uniform nor absolute. Many nations differentiate between Muslim and non-Muslim citizens, particularly in personal status laws such as marriage, inheritance, and divorce. For example, in countries like Saudi Arabia or Iran, sharia law predominates and affects all residents, but non-Muslims may be subject to certain exemptions or separate legal provisions.

Conversely, in countries such as Malaysia or Egypt, sharia courts primarily handle cases involving Muslims, while non-Muslims are governed by civil or customary laws. This dual legal system raises complex questions related to legal rights, religious freedom, and social integration for non-Muslim minorities.

## Sharia Law for the Non Muslim: Legal Implications

Exploring sharia law for the non Muslim requires an understanding of how Islamic legal principles intersect with secular and international legal standards. Non-Muslims living under sharia-based legal systems often face a spectrum of experiences based on the degree of legal pluralism and state policies.

## Family Law and Personal Status

One of the most significant areas where sharia intersects with the lives of non-Muslims is family law. In many Islamic countries, personal status laws regulating marriage, divorce, child custody, and inheritance are governed by religious rules. For non-Muslims, this can mean:

- Being subject to their own religious laws or civil codes when dealing with family matters.

- Facing legal limitations if marrying a Muslim, as some jurisdictions require conversion to Islam.
- Encountering challenges in inheritance rights, since sharia inheritance laws favor Muslims.

For instance, in Egypt, non-Muslims have their cases heard in their respective religious courts for personal matters, whereas in Saudi Arabia, non-Muslims have limited recourse outside the sharia system, often relying on their home country's consular support.

## **Criminal Law and Non-Muslims**

Sharia criminal law includes hudud punishments, which are fixed penalties for specific offenses such as theft, adultery, and apostasy. The application of such laws to non-Muslims is rare and controversial. Most Islamic countries limit hudud punishments largely to Muslims, reflecting a principle that Islamic law primarily governs its adherents.

However, some countries enforce sharia-inspired criminal provisions on all residents, including non-Muslims. This has raised concerns among human rights organizations regarding legal fairness and religious freedom. For example, in parts of Nigeria and Indonesia where sharia criminal codes operate regionally, non-Muslims can, in theory, be subject to sharia-based punishments, although actual enforcement varies widely.

## **Commercial and Contract Law**

In the realm of commerce, sharia law introduces unique features such as the prohibition of *riba* (interest) and the promotion of ethical financial transactions. Non-Muslims engaging in business within Islamic countries often navigate a dual system where sharia-compliant finance coexists with conventional commercial laws.

Many international companies adapt to Islamic finance principles, especially in banking and investment sectors. Here, sharia law for the non Muslim translates into practical considerations rather than religious obligations, highlighting the adaptability and influence of Islamic jurisprudence beyond religious boundaries.

## **Social and Cultural Dimensions**

Beyond legal frameworks, sharia law influences social norms and cultural expectations in Muslim-majority societies. Non-Muslims residing in these contexts may encounter certain restrictions or social customs rooted in Islamic teachings. Typical areas include dress codes, public behavior, and religious observances during holy months like Ramadan.

While such regulations primarily target Muslims, non-Muslims often find themselves

navigating these cultural landscapes carefully to maintain social harmony and legal compliance. For instance, in some Gulf countries, non-Muslims are expected to respect public decency laws aligned with Islamic values, even if these do not apply within their own religious traditions.

## **Religious Freedom and Minority Rights**

The intersection of sharia law and non-Muslim rights inevitably raises questions about religious freedom. International human rights frameworks emphasize the protection of belief and practice for all individuals, regardless of religion. Yet, in some jurisdictions, sharia-based regulations can create challenges for non-Muslim minorities, particularly when religious conversion, proselytization, or public worship are restricted.

Countries vary significantly in their approach. Tunisia and Jordan, for example, uphold religious freedom within an Islamic legal context, whereas others impose stricter controls. Understanding sharia law for the non-Muslim thus involves recognizing these nuanced realities and the ongoing debates about pluralism and legal reform.

## **Comparative Perspectives: Sharia and Secular Legal Systems**

Comparing sharia law for the non-Muslim with secular legal systems offers valuable insights into how legal pluralism functions worldwide. Secular democracies typically maintain a clear separation between religion and state law, ensuring equal treatment regardless of faith. In contrast, countries with Islamic legal influences may blend religious norms with civil legislation, resulting in hybrid systems.

Some countries, like Turkey and Tunisia, have historically pursued secularization, limiting sharia's role to personal status matters or symbolic functions. Others, such as Iran and Saudi Arabia, maintain a more comprehensive application of Islamic law. For non-Muslims, the practical implications of these differences can be profound, affecting everything from legal rights to social integration.

## **Challenges and Prospects**

The dynamic between sharia law and non-Muslims involves ongoing challenges, including:

- Balancing respect for Islamic legal traditions with international human rights standards.
- Ensuring non-discrimination in legal proceedings and access to justice.
- Addressing social tensions arising from legal pluralism and cultural differences.

However, there are also prospects for constructive dialogue and reform. Legal scholars and policymakers increasingly explore ways to harmonize sharia principles with modern legal frameworks, promoting inclusiveness and mutual respect. Such efforts are particularly relevant in multicultural societies where coexistence depends on legal clarity and cultural sensitivity.

The conversation around sharia law for the non Muslim is thus not static but evolving, reflecting broader trends in globalization, human rights, and interfaith relations. Understanding this complex landscape requires careful analysis beyond simplistic narratives, recognizing that the application of sharia is context-dependent and multifaceted.

## **Sharia Law For The Non Muslim**

**sharia law for the non muslim: Sharia Law for the Non-Muslim** Bill Warner, 2010 Sharia, an Arabic word meaning the right path, refers to traditional Islamic law. The Sharia comes from the Koran, the sacred book of Islam, which Muslims consider the actual word of God. The Sharia also stems from the Prophet Muhammad's teachings and interpretations of those teachings by certain Muslim legal scholars. Muslims believe that Allah (God) revealed his true will to Muhammad, who then passed on Allah's commands to humans in the Koran. Since the Sharia originated with Allah, Muslims consider it sacred. Between the seventh century when Muhammad died and the 10th century, many Islamic legal scholars attempted to interpret the Sharia and to adapt it to the expanding Muslim Empire. The classic Sharia of the 10th century represented an important part of Islam's golden age. From that time, the Sharia has continued to be reinterpreted and adapted to changing circumstances and new issues. In the modern era, the influences of Western colonialism generated efforts to codify it.--Definition from Constitutional rights foundation.

**sharia law for the non muslim: Women and Islamic Law in a Non-Muslim State** Ahron Layish, 2017-09-04 This book is methodologically unique in scholarly literature on Muslim society. Its originality lies in the fact that the rich material offered by the shari'a courts is given a thorough analysis with a view to drawing conclusions about the present-day phenomena in Arab society and processes that the society has been undergoing in modern times. Aharon Layish examines every aspect of the social status of Muslim women that finds expression in the shari'a courts: the age of marriage, stipulations inserted in the marriage contract, dower, polygamy, maintenance and obedience, divorce, custody of the children, guardianship, and succession. Each chapter opens with a short legal introduction based on all the sources of law applying in shari'a courts, followed by social analyses and a study of the attitudes and approaches of the qadis, or Muslim religious judges. Layish examines the relationship between shari'a and Israeli legislation: Do shari'a courts have regard to the provisions of Israeli law? What is the relationship between shari'a and social custom, and which is decisive in regard to Israeli Muslim women? To what extent does Israeli law actually affect Israeli Muslim women? What is the attitude of the qadis, toward Israeli legislation? Women and Islamic Law in a Non-Muslim State is an important and original study that will be of interest to students and scholars of Islamic law, comparative law, sociology, and modernization.

**sharia law for the non muslim: Global Jihad in Muslim and non-Muslim Contexts** Jonathan Matusitz, 2020-06-12 This book examines ten reasons for global jihad today. Specifically, the reasons are (1) radicalization, (2) group dynamics and socialization, (3) social alienation, (4) religious motivations, (5) legal motivations, (6) political motivations, (7) a Clash of Civilizations, (8) economic conditions, (9) transformative learning, and (10) outbidding and internal rifts. To

investigate these points, all chapters include the historical background, specific case studies (both past and current), statistics, and theoretical approaches to the subject of global jihad. The main purpose of jihad is to achieve global domination—through any means, including violence—and establish the Caliphate. The Caliphate is a Muslim system of world government that seeks to establish a new world order by overthrowing the current order, effectively creating an all-encompassing Islamic state.

**sharia law for the non muslim:** Contemporary Islamic Law in Indonesia Arskal Salim, 2015-02-10 Addressing changes in both the national legal system of Indonesia and the regional legal structure in the province of Aceh, this study focuses on the encounter between diverse patterns of legal reasoning and the vast array of issues arising in the wake of

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**sharia law for the non muslim: Studies in Modern Islamic Law and Jurisprudence** Oussama Arabi, 2021-10-05 This book shows 19th and 20th century Islamic Law as a dynamic process casting its net into the 21st century and shaping of major constitutional and legal developments in the Arab and Muslim worlds. The introduction and nine chapters of this volume provide insight into the ongoing transformation of the Shari'a into the law of a nation-state. The book contains studies on Marriage and Divorce, Contract Law in the new Civil Codes of Egypt, Iraq and Syria; the ideological springs of Muhammed 'Abduh's visionary program for the reconstruction of Shari'a, the place of Islamic law in the judicial doctrine and policy of the Egyptian State and Legal Capacity.

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**sharia law for the non muslim: The Islamic Law of Personal Status** Jamal J. Nasir, 2021-10-05 This new edition of the authoritative English-language treatment of Islamic personal status law gives practitioners and courts throughout the world direct access to this important body of law in its most up-to-date development. All Middle Eastern and North African Arab states are covered; new to this edition is coverage of recent provisions enacted in Kuwait, Yemen, and Sudan. The chapter on dissolution of marriage has been completely revised to reflect current legal interpretation and judicial practice in this rapidly changing area of Islamic law. Also new and especially valuable are English versions, for the first time anywhere, of fundamental Shiite and Jaafari legal works with the most thorough analysis and commentary available in any non-Arabic source. Dr. Nasir's much-appreciated methodology has been continued since the very successful first edition of 1986. For each topic - e.g., marriage, dower, dissolution of marriage, parentage, inheritance, and waqf - he begins with a consideration of the subject in Sharia law, and then goes on to present legislation and contemporary views, in particular Arab countries. This approach, while it clearly manifests the continuity of Islamic law respecting personal status, is of great practical value to judges and practitioners, especially those who must resolve disputes under Islamic law in

non-Muslim countries.

**sharia law for the non muslim:** *The Ashgate Research Companion to Islamic Law* Peri Bearman, 2016-03-16 This unparalleled Companion provides a comprehensive and authoritative guide to Islamic law to all with an interest in this increasingly relevant and developing field. The volume presents classical Islamic law through a historiographical introduction to and analysis of Western scholarship, while key debates about hot-button issues in modern-day circumstances are also addressed. In twenty-one chapters, distinguished authors offer an overview of their particular specialty, reflect on past and current thinking, and point to directions for future research. The Companion is divided into four parts. The first offers an introduction to the history of Islamic law as well as a discussion of how Western scholarship and historiography have evolved over time. The second part delves into the substance of Islamic law. Legal rules for the areas of legal status, family law, socio-economic justice, penal law, constitutional authority, and the law of war are all discussed in this section. Part three examines the adaptation of Islamic law in light of colonialism and the modern nation state as well as the subsequent re-Islamization of national legal systems. The final section presents contemporary debates on the role of Islamic law in areas such as finance, the diaspora, modern governance, and medical ethics, and the volume concludes by questioning the role of Sharia law as a legal authority in the modern context. By outlining the history of Islamic law through a linear study of research, this collection is unique in its examination of past and present scholarship and the lessons we can draw from this for the future. It introduces scholars and students to the challenges posed in the past, to the magnitude of milestones that were achieved in the reinterpretation and revision of established ideas, and ultimately to a thorough conceptual understanding of Islamic law.

**sharia law for the non muslim:** *Young British Muslims* Nahid A. Kabir, 2010-10-26 Offers insights into the hopes and aspirations of British Muslims from remarkably diverse ethnicities. In Britain's highly politicised social climate in the aftermath of the 7/7 London bombings, this book provides an in-depth understanding of British Muslim identity. Nahid Kabir has carried out over 200 in-depth, semi-structured interviews with young Muslims in five British cities: London, Leicester, Bradford, Leeds and Cardiff. By emphasising the importance of biculturalism, Kabir conveys a realistic and hopeful vision for their successful integration into British society.

**sharia law for the non muslim:** *Modern Challenges to Islamic Law* Shaheen Sardar Ali, 2016-10-06 This book offers unique insights into Islamic law, considering its theoretical perspectives alongside its practical application in daily Muslim life.

**sharia law for the non muslim:** *2023 Global Religious Recognition Report* Cometan, 2023-07-26 The Global Religious Recognition Report (GRR Report) returns for its second edition, this year including more detail on each country and territory's registration policies and on their practices of states extending privileges to some religions and beliefs and not others. Recognition and registration issues continue to impact conditions of freedom of religion or belief throughout the world and it is the purpose of the GRR Report to highlight the extent of these issues nation by nation as part of the report's country-specific approach to the subject. Detailed explanations of registration policy have been gathered from the Office of International Religious Freedom's International Religious Freedom Report in addition to other credible sources. The RoRB classification for each country and territory has been updated in accordance with the criteria set out in the Spectrum of Religious Recognition (SRR) which was included towards the front of this year's report. With more detail provided this year on registration policy in each nation, this report has revealed the complexity of registration issues and the drastic impacts they have on religious freedom.

**sharia law for the non muslim:** *2024 Global Religious Recognition Report* Cometan, Monica Gyimah, 2024-08-15 The 2024 Global Religious Recognition Report is a compilation of the most recent available data on recognition and registration impacting conditions of religious freedom throughout the world. Each page of the 259-page report is dedicated to each sovereign state and dependent or disputed territory, including an overview of the constitutional structure, secularity and recognition and registration policies and practices. Detailed explanations of registration policy have

been gathered from the Office of International Religious Freedom's International Religious Freedom Report in addition to other credible sources. The RoRB classification for each country and territory has been updated in accordance with the criteria set out in the Spectrum of Religious Recognition (SRR) which was included towards the front of this year's report. This year's report includes an abridged version of Dr Monica Gyimah's article (the full article can be found in Journal of Astronist Studies Volume 1 Issue 1) that highlights recognition and registration issues specifically impacting indigenous religious communities.

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**sharia law for the non muslim: The Rights of Non-muslims in the Islamic World** Şāliḥ b. Ḥusayn al- 'Āyid, 2002

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