

Rowan Williams and sharia law

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On 7 February 2008, Rowan Williams - the Archbishop of Canterbury, spiritual head of the Anglican church - delivered the foundation lecture at the Royal Courts of Justice in London. His address, entitled "[Civil and Religious Law in England: a Religious Perspective \[1\]](#)" inaugurated a series of talks on Islam and English law.

The full text of the lecture - available on [Rowan Williams's \[7\]](#) website - conveys the sense of a serious scholar revelling in a rare opportunity (even for the Archbishop of Canterbury) to explore ideas of some intellectual complexity in a public forum. Even for those accustomed to reading academic papers, it is a densely argued, perhaps unnecessarily convoluted exercise in postmodern jurisprudence, cross-referenced with numerous other academic sources, which would require several close readings to appreciate its careful and nuanced reflections. It is not a series of prescriptions or propositions, but an invitation to the legal establishment to consider the challenges posed to the abstract universalities of a post-Enlightenment concept of law by the traditional values and identities associated with religious communities.

Those familiar with the work of philosopher [Alasdair MacIntyre \[8\]](#) will recognise that Williams is trying to open up a conversation between the arguments and insights of certain strands of postmodern philosophy and theory, and the legal professionals who have responsibility for administering the law in ways which have a significant impact upon the lives of ordinary men and women whose sense of identity and personal values may derive from several different sources, including religious traditions.

Nowhere in the lecture does Williams call for the implementation of *sharia* law - though this has become the default assumption underlying the febrile controversy the talk and its accompanying media coverage almost instantly generated. Rather, he asks how it might be possible for the civil law to accommodate some of the legal procedures by which Muslim communities in Britain have traditionally [regulated \[9\]](#) their relationships and financial affairs, while safeguarding the equality and human rights afforded by modern law for vulnerable individuals (particularly women) within those communities. He reiterates several times that it would be important to ensure that "no 'supplementary'

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Tina Beattie's latest book is [The New Atheists \[6\]](#) (Darton, Longman & Todd, 2007)

Also by Tina Beattie in **openDemocracy**:

["Pope Benedict XVI and Islam: beyond words \[6\]"](#) (17 September 2006)

["Veiling the issues: a distracting debate \[6\]"](#) (24 October 2006)

["Religion in Britain in the Blair era \[6\]"](#) (10 January 2007)

["Religion's cutting edge: lessons from Africa \[6\]"](#) (14 February 2007)

jurisdiction could have the power to deny access to the rights granted to other citizens or to punish its members for claiming those rights." He also points out that there is already provision in English law for Jewish and Christian communities to have some autonomy over the governance of their religious affairs, without thereby putting themselves outside the law.

It is hard to believe that this scholarly, even esoteric, lecture could ignite the intensely hostile reaction it has - not only in the tabloid press (a familiar accompanying cacophony on every issue it seeks to exploit for commercial purposes) but at all levels of the media; and among many within the Anglican church itself, some of whom have called for the archbishop's resignation.

True, the immediate provocation came less from the lecture itself and more from an [interview](#) [10] which Williams gave to BBC radio a few hours before it was delivered; but even here he set out his position with considerable sensitivity and care. He did not, as many claim, say that the application of *sharia* law was unavoidable, although he did cautiously agree with this suggestion when it was put to him by the interviewer. But the implacable torrent of comment on what Williams is believed to have said, much of it misleading or tendentious, obliged him to clarify his position - in a [statement](#) [11] on his website on 8 February, and in his opening address to the [general synod](#) [12] of the Church of England on 11 February. His presence and speech at the Anglican "parliament" were greeted by a standing [ovation](#) [13]. This reception, and the broader public arena's second thoughts, may lead some to conclude that - after all - this was just another media storm in a teacup.

Adrowned debate

I think that would be a mistake, for the furious [response](#) [17] to the archbishop's comments reveals a great deal about the hostility and ignorance with regard to Islam which forms a potent undercurrent in Britain's ostensibly multi-cultural society. It is also a reminder - if such reminders are needed - that this is a woefully anti-intellectual society, fed on a daily diet of the tabloid press and reality television, and apparently incapable of engaging in intelligent public [debate](#) [18] about significant issues. Serious journalists who ought to know better have derided Williams for being too scholarly; the widespread belief seems to be that he has only himself to [blame](#) [19] if people failed to grasp the subtleties of his argument. The logic of this message is that public figures must "dumbdown" or be damned.

The days since the 7 February lecture have exposed more than the astonishingly personalised hostility which has become the routine fate of all those who find themselves the target of the media's (and, it must be said, a section of the public's) ire - in the latter case, a phenomenon fed both by the "old media" itself and by the "new media's" specialist tools of instantaneity and anonymity. They have also revealed again just how chauvinistic the media in Britain can be, in this case by preying on public perceptions of Islam as a misogynistic and barbaric religion which has nothing to offer to and everything to learn from modern western secularism. The combination of ignorance and prejudice here recalls the comment of [Akbar S Ahmed](#) [20], a former Pakistani diplomat and scholar of Islam: "Nothing in history has threatened Muslims like the western media."

In its conservative versions, Islam does pose a challenge to modern western values, particularly with regard to its treatment of women and its resistance to the idea of religious freedom. Yet the archbishop makes very clear that he rejects any change in the law which would deprive individuals of the rights they are

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Patrick Weil, "[A nation in](#)

entitled to as modern British citizens; and nowhere does he offer encouragement or affirmation to what herefers to as "Islamic primitivists".

There are many within the Muslim community who would be highly resistant [22] to attempts by a conservative religious minority - far less an even smaller minority of radical Islamist extremists - to impose their narrow definition of Islam on the majority. The reaction to Rowan Williams's address among Muslims has made clear the broad consensus [23] among liberal Muslims that they value the freedoms and rights afforded by modern secular democracies as much as does any other community or group.

At the same time, I believe that Muslims in western societies still bear a considerable responsibility in showing that they do in fact respect the freedoms and equalities which underpin these societies, particularly with regard to the treatment of women. There are very real issues of concern here which must be debated [24] and not evaded.

A social dysfunction

It is also the case, however, that a growing number of people (Muslims and others) feel that they have no stake in British society, its institutions and its values. The resulting social meltdown is reflected in a crisis in our legal system. In the very week that the whole nation suddenly seemed united in defence of the existing system of law over and against the archbishop's invitation to reflect on possible adaptations and changes, England's prison population reached an all-time high [25], and a number of lawyers expressed concern that their conversations with their clients are being bugged [26].

This breakdown in trust, law and social cohesion has a particularly devastating impact upon young people. It is a crisis which manifests itself in different ways across a whole generation of British youth, especially young men, for whom crime, violence and alcohol have become forms of escape from the social abyss which confronts them. This complex of problems far exceeds that posed by political extremism in religious guise or by the challenges [27] of legal pluralism; and ignorance, complacency and cultural bigotry are poor responses to them.

Rowan Williams - a uniquely gifted Christian leader and one of the finest theologians alive today - has tried to open up one possible channel of informed debate with regard to law, identity and community in Britain today. Many may legitimately disagree with his ideas and worry over his formulations [28], but the overall response to them suggests a country whose eagerness to abuse and accuse is crushing its ability to listen and learn.

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- [23] http://www.mcb.org.uk/features/features.php?ann_id=1687
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