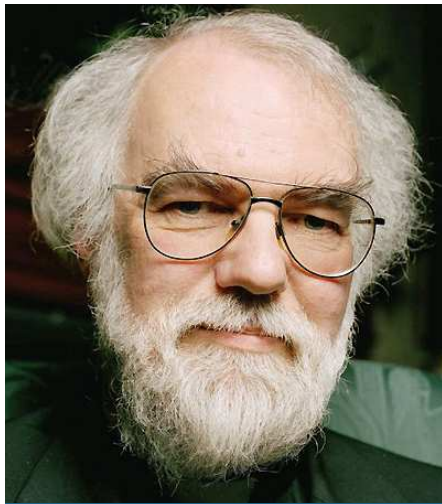


SHARIA LAW AND THE BEARD OF CANTERBURY

RICHARD HADDEN THINKS AN IMPRESSIVE BEARD IS THE BEST DEFENCE

The Dr Rowan Williams has always intrigued me. I admit I'm fascinated how elements of his beard seem able to mobilise themselves without any perceptible movement from the underlying muscles. Though more likely it's due to the way he comes across – clearly a scholarly and intellectual chap – as, well, not quite as Christian as one would suspect for someone who is the Archbishop of Canterbury. In this context, I found his – in my opinion, quite measured – comments on Sharia law in Britain not at all surprising.

Not at all surprising either is the response from what we might consider the “likely suspects”. All of these were quick to trumpet things about the “law being the same for everyone”. The unsurprising comments came from the normal raft of people (the BNP and various others of their ilk) who maintain adverse views on multiculturalism and immigration; according to them, Sharia law (even elements of it) is incompatible with British law, because British law is based on Christian principles and values.



The Beard of Canterbury

So it very well might be: Britain, unlike France, has not yet got round to having the revolution that sweeps away all the old apparatus of government and replaces it entirely (after quite a few false starts) with something written from scratch. Instead, our institutions have evolved slowly – shedding a prehensile

Lord or two along the way – into their current state. So Christianity may have been the basis of British law, just as small squishy sea-dwellers were probably the basis of humanity, but we have moved on a little from that.

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On this basis, there is no intrinsic reason why “some elements” of Sharia law are intrinsically incompatible with British law. Except, apparently, the fact that Sharia law has a bit of a bad reputation. Then again, lots of laws in Nazi Germany had a ‘bit of bad reputation’, but that does not necessarily make every single one of them incompatible with British law (I imagine, for the sake of a glib argument, that Hitler did, and Gordon Brown will continue to, legislate that citizens drive on a certain side of the road). Just as this does not preclude the introduction of the more unsavoury Nazi edicts, most sensible people can probably fathom that the “elements” of Sharia to which Dr Rowan Williams referred were not the ones that talk of chopping hands off, cruelty to women or honour killings.

The other argument against Dr Williams is that this undermines the notion that the law be the same for everyone (anyway, it isn't – see ‘Monarch’). And it doesn't, either. At least it doesn't depending on how we choose to implement this principle, especially in the field of religion.

Let us return for a moment to France, where, in a moment of high wrangling, the State was divorced from the Church. The upshot of this is, if not state atheism (at least not in the same

way as, say, the Soviet Union), an active – almost hyperactive – pursuit of secularism. The *droit à l'indifférence* (the ‘right to [religious] indifference’) bans the displaying of religious symbols in public. Whilst this system is undeniably fair, it is not without some quite obvious problems, most of which surfaced in the row in 2005 over the possibility of making an exception of allowing Muslim women to wear headscarves. Allowing this would, logically it would seem, not be fair. But the only way to be really fair is to ban scarves altogether.



Room for Sharia in British Law?

Thankfully we live in Britain, where our secularism is nicely passive, people are tolerant, even accepting, of difference – and seeing difference on display rather than having to hide it away. People are not offended by seeing a Muslim headscarf or a Christian cross, or offended by Christian Laws or Muslim laws. The ‘cost’ of this, if it can be seen as such, is that we have a state religion, albeit one that respects its privileged position.

Neither I, nor Rowan Williams, are suggesting that elements of Sharia law should be introduced (at least not any more or less than any other law thought up by any politician or think-tank or newspaper columnist) – and, lest we forget, neither of us is in government. But the Archbishop of Canterbury talking frankly and honestly about Sharia law shows an intelligent Christian, leading the state religion in an otherwise secular and tolerant country and recognising the fact that the position of his faith brings responsibilities along with privileges.