

Law Society risks 'undermining' rule of law by promoting sharia, warns Justice Secretary

Posted: Mon, 12 May 2014

The Law Society has again defended its [practice note](#) on "Sharia succession rules" despite a warning from Chris Grayling, the Secretary of State for Justice, that it must not "undermine" British legal principles.

The Justice Secretary's intervention follows criticism of the Law Society from lawyers and human rights campaigners for publishing guidance to help lawyers draw up 'Sharia compliant' wills and running training courses in Sharia.

Critics say the Law Society is legitimising sharia by giving it the unwarranted respectability and credibility of a legal discipline.

In a [letter to the Lawyers Secular Society](#), Nicholas Fluck, president of the Law Society, defended the guidance, saying it was intended to help its members "better serve their clients' lawful instructions on the distribution of assets, including those who may adopt sharia principles."

He said the Society recognised that there was "no such thing as 'sharia law'", but did not accept that the guidance promoted or endorsed sharia principles.

However, Justice Secretary Chris Grayling told the Telegraph: "The Law Society will need to satisfy themselves that nothing in the course of guidance undermines the principle that Sharia law is not part of the law of England and Wales."

"Sharia law has no jurisdiction in England and Wales and the Government has no intention to change this position," he said.

Mr Grayling's intervention was backed by Conservative MP Robert Buckland, a member of the Commons' Justice Committee and a part-time judge.

He said: "The Law Society has a wider duty to uphold our legal system. They are validating a set of values that are not part of our law."

Campaigners have also criticised the Law Society's guidance for referring readers to a book by Muhammad Al Jibaly, who has said: "Under the rule of Islam, a willful fornicator deserves to be whipped one hundred lashes, and a willful adulterer deserves stoning to death."

The Islamic scholar is also on record as saying: "Command your children to pray when they are seven years old and hit them if they do not pray, or they don't pray right....A girl she should start hijab [wearing of headscarf] from the age of seven. By the age of ten it becomes an obligation on us to force her to wear hijab. And if she doesn't wear hijab we hit her."

The Law Society has justified its decision to refer to Mr Al Jibaly's textbook on the basis that, "It is one of the few books published in English on Sharia inheritance principles."

The Lawyers Secular Society, which called on the Law Society to withdraw the guidance,

welcomed Mr Grayling's intervention but said it was "very disappointed" at the Law Society's decision to stand by its practice note.

Charlie Klendjian, Lawyers Secular Society Secretary, said: "It is not the Law Society's business to offer guidance on Islamic theology, even if there is "demand" for it, because this gives sharia law the respectability and credibility of a legal discipline within our jurisdiction – which it is not."

See also: [Sharia wills practice note: Law Society refuses to withdraw guidance](#)

Take action: [Sign the petition calling on the Law Society to withdraw its guidance](#)

- [Share on What's App](#)
- [Share on Facebook](#)
- [Share on Twitter](#)
- [Share on Email](#)
- [Subscribe to RSS Feed](#)

Tags: [Sharia](#)

Related Campaigns

- [**Protect one law for all**](#)

We campaign to ensure parallel religious legal systems don't undermine our secular justice system

[Read More](#)