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APPLICABILITY OF SHARIA IN MODERN TIMES: NEWS MEDIA'S ROLE IN NARRATIVE BUILDING

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ABSTRACT

This study offers a comprehensive analysis of the portrayal of Sharia law in four prominent global news platforms—The New York Times, The Washington Post, CNN, and The Guardian. The analysis spans five years from March 2019 to March 2023. Through meticulous discourse analysis, this study uncovers a pattern of negative framing and biased representation that shapes public perception of Sharia law's applicability in modern times. The findings reveal that news media consistently employs sensationalism and selective focus to amplify controversial aspects of Sharia law and thus oversimplifies a complex legal and ethical framework, hindering an accurate understanding of Sharia law's applicability in the modern world. Moreover, the media's role in amplifying biases can have significant effects on public perception and social dynamics, ultimately affecting how both Muslims and non-Muslims perceive the legal system. It is imperative for news platforms to adopt a less balanced and naive approach when discussing the law, one that acknowledges its diversity of interpretations, cultural variations, and ongoing dialogues about its relevance in the contemporary world.

Keywords: Sharia Law, Media Bias, Islamophobia, Public Perception.

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1. INTRODUCTION

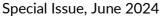
Sharia law is often misrepresented in global news media as a rigid and oppressive legal system that is inherently incompatible with modern values and human rights. It is often portrayed as a monolithic and archaic set of laws.

While the Sharia is comprehensive in scope-as one would expect given that Islam is a complete way of life-it is neither entirely static nor monolithic. Aspects of the Sharia are timeless, unchanging, and universally agreed upon.

Western media often focuses on the most controversial cases involving Sharia law, contributing to misinformation and negative stereotyping, hence convincing its viewers- Muslims and non-Muslims alike that the law is barbaric and outdated.

Muslim scholars and practitioners of Sharia law hold that Sharia law is compatible with modern human rights standards and that it cannot only be adapted to meet the needs of contemporary societies rather would revolutionize society by being a system capable of combating the many rampant vices of the 21st century. This research aims to critically analyze the role of news media in constructing narratives around Sharia, highlighting the need for a more nuanced understanding of its complexities.

A young Muslim in today's world is likely to encounter speech that characterizes Islamic law as outdated or as nothing more than the amalgamated subjective opinions of ancient scholars. Often there are calls to change Islamic law because "times have changed" and we are no longer living in the same world in which



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scholars of the past lived. Such conversations, if not framed with the right principles, may spiral into a complete denunciation of the Islamic legal tradition (Abu-Ghudda, 2020). However, such notions are often imposed on the masses by mainstream media sources through their misrepresentation and lack of understanding of Shariah.

The objective of this research is:

- To identify the role of mainstream news media outlets in building public perception about Sharia and its applicability in current times.
- To analyze mainstream news media's reportage surrounding issues related to Sharia and identify patterns and possible biases.
- To estimate the effect of media-controlled narratives on Muslims' understanding of Sharia and its applicability.

The word Shari'ah refers to the entire religion of Islam, which Allah chose for His slaves, to lead them forth from the depths of darkness to the light. It is what He has prescribed for them and explained to them of commands and prohibitions, halal, and haram. (What Is Shariah? - Islam Question & Answer).

Allah, may He be exalted, says (interpretation of the meaning): "Then We put you, [O Muhammad], on an ordained way concerning the matter [of religion]; so follow it and do not follow the inclinations of those who do not know." (al-Jathiyah 45:18).

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Shaykh al-Islam Ibn Taymiyah (may Allah have mercy on him) said: "Man has no right to go against Shari'ah in any of his affairs; rather everything that is good for him and his well-being is referred to in Shari'ah, whether it has to do with his major issues or minor issues, in all his situations and actions, in his interactions and dealings with other people, and so on. Praise be to Allah, Lord of the Worlds.

Fifteen years post the 9/11 attacks of 2001, subjects related to Islam and Muslims living in Western contexts continue to be widely debated in mainstream political discourse and the media. The place of Sharia appears to arouse particularly vigorous debate across Western contexts. Very often this debate is conducted by non-Muslims and directed primarily at non-Muslims, conflating terms, concepts, and practices into a rhetorical and often highly uninformed discourse. However, broader community misperceptions and confusion about Sharia also, reflect multifarious understandings of it among Muslims themselves (Saeed 2010).

2. REVIEW OF LITERATURE

This literature review delves into various aspects of the portrayal of Sharia law in news media. It explores the timeless nature of Sharia and how it is often misrepresented or sensationalized in Western media. Furthermore, it discusses the media's delineation between "good" and "bad" Sharia and its role in constructing public discourse on the topic.

2.1 The Timeless Nature of Sharia

Whether a ruling can be changed or not, or is applicable or not, is not something that we humans decide but is rather something

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we discover by rationally examining the divine text. If a ruling is definitive (qaṭī), one cannot claim that it is time-specific and that it no longer applies in today's world (Abu-Ghudda, 2020). The only way such a ruling would no longer apply is if the 'illah that triggers the ruling is absent or if a necessity (darūrah) exists.

Many of the objections being made today are against non-negotiable rulings. The prohibition of usury and certain forms of financial transactions; the clear laws of marriage, divorce, and inheritance; the requirement of the $hij\bar{a}b$; all such rulings are $qat\bar{i}$. They cannot be abandoned (Abu-Ghudda, 2020).

2.2 Misrepresentation of Sharia in News Media

Western media may overemphasize the most extreme or controversial cases involving Sharia law, leading to a distorted or inaccurate portrayal of the legal system. This contributes to negative stereotypes and misunderstandings about Islam and Muslim societies. Moreover, media coverage of Sharia law is influenced by political or ideological agendas. Some media outlets may be more likely to highlight cases that support a particular narrative or perspective while downplaying or ignoring cases that contradict it.

2.3 Media's Demarcation of "Good" vs "Bad" Sharia

Black and Sadiq (2011, 388) have indeed noted a more nuanced divide between 'good *Sharia*' portrayal in news media based on the profit-generating potential of concepts of Islamic finance and 'bad Sharia' that appears to challenge family laws: 'It seems that Islamic banking and finance laws are "good" *Shari'a* worthy of adoption, whilst personal status laws (marriage, divorce, separation, custody of children and inheritance) are not.'

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Left and liberal-oriented media outlets often negatively report on *Sharia* in terms of its holistic implementation as a system while seemingly appreciating the accommodation of certain aspects of Islamic law. This dichotomy reflects the media's selective representation and highlights the impact of profitoriented interests in shaping narratives about *Sharia*.

2.4 Media Role in Constructing Public Discourse

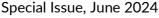
Given that the mass media play an important role in setting and shaping the national political agenda (Van Aelst and Walgrave, 2011), a structured sociological approach to studying how the media portrays Sharia is a useful exercise. By analyzing the media's role in constructing narratives, a clearer picture emerges of the interconnected relationship between news media and societal perceptions.

Mass media has a strong impact in constructing social reality, that is, "by framing images of reality . . . in a predictable and patterned way" (McQuail, 1994, p. 331).

3. RESEARCH METHODOLOGY

3.1 Discourse Analysis as a Research Method

Discourse analysis is a qualitative research method that examines language use within its social and cultural context. This approach acknowledges that language is not neutral and can reflect power dynamics, ideology, and societal norms. In the context of this study, discourse analysis enables an exploration of how news media constructs narratives about Sharia law and its applicability in modern times.



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The research mainly uses the concept of discourse analysis to substantiate the theoretical framework with findings. Discourse analysis is a research technique that entails the study of theoretical, written, and spoken language by contrasting them with the social context and the historical backdrop. Discourse analysis is a qualitative and interpretive method of analyzing texts (in contrast to more systematic methods like content analysis). One makes interpretations based on both the details of the material itself and contextual knowledge.

3.2 Data Collection

To comprehensively analyze media narratives, this research conducts an archival search of prominent global news outlets, including The New York Times, Washington Post, CNN, BBC, and The Guardian. These news sources boast substantial readership and influence, providing a representative sample of how *Sharia* is portrayed in diverse cultural and geographic contexts.

3.3 Selection of News Outlets

The news sites have a readership of over 100 million visits per month (Majid, 2023). Their coverage and framing of issues surrounding Sharia will be appropriately analyzed to understand their take on the applicability of Shara in the 21st century. The chosen news outlets collectively cover a range of political and ideological perspectives, offering insights into the multifaceted ways in which Sharia is framed. By examining a diverse array of sources, the research aims to uncover patterns and divergences in media narratives. The analysis spans five years from March 2019 to March 2023. This timeframe captures recent

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developments and societal shifts that may influence media portrayals of *Sharia*.

4. ANALYSIS AND FINDINGS

The analysis of these articles from various reputable news sources reveals a consistent pattern of negative framing when it comes to the portrayal of *Sharia* law. This negative framing is often influenced by the context in which these articles are presented, the choice of words used, and the specific aspects of *Sharia* law that are highlighted.

The articles from The New York Times frequently emphasize aspects of *Sharia* law that are seen as regressive or incompatible with modern values. For example, "The Taliban's Dangerous Collision Course with the West" frames Sharia law as a source of conflict and danger in relation to the West. The use of phrases like "growing sense of dread" in "Why Most Muslims I Know Are Feeling a Growing Sense of Dread" associates Sharia law with fear and anxiety. The opinion piece "Shariah's Winding Path Into Modernity" suggests a cautious and uncertain evolution of Sharia law in modern times.

The Washington Post's articles often draw parallels between Sharia law and negative or controversial topics. The article "Opinion | Missouri Legislature's dress code sounds like Sharia law" creates an association between domestic policy and Sharia law, implying a potential threat. Similarly, "Opinion | In long-secular Turkey, Sharia is gradually taking over" suggests an encroachment of Sharia law into secular spaces.

CNN's articles frequently focus on instances where *Sharia* law is portrayed as leading to extreme or harsh outcomes. The

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article "Nigeria Sentences Teenage Boy to 10 Years in Prison for Blasphemy, prompting Outrage" highlights a severe punishment under Sharia law, evoking outrage. "Pakistan court frees convicted rapist after 'agreement' to marry his victim" highlights a case where Sharia law is seen as enabling an unjust resolution.

The Guardian's articles often spotlight cases where Sharia law is associated with human rights abuses or oppression. The article "Latest blasphemy killing highlights Nigeria's problem with religious extremism" links Sharia law to religiously motivated violence. "Iran condemns two women to death for 'corruption' over LGBTQ+ media links" portrays Sharia law as contributing to harsh punishments for non-conformity.

Overall, the articles from these news sources consistently emphasize negative aspects of Sharia law, often framing it as regressive, incompatible with modern values, and associated with extreme outcomes. This negative portrayal is achieved through careful word choice and contextual framing, shaping public perception and contributing to a specific narrative about *Sharia* law.

The discourse analysis of articles from multiple news sources reveals a consistent pattern of negative framing when portraying *Sharia* law. While each source employs slightly different angles and focuses on distinct aspects, certain overarching themes emerge, contributing to the negative perception of Sharia law:

Extreme Punishments and Human Rights Violations: News articles consistently highlight instances of severe punishments and human rights violations under *Sharia* law. These stories

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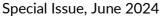


often focus on cases of amputations, stoning, and executions carried out as part of the legal system. The detailed descriptions of such punishments contribute to the perception that *Sharia* law is inherently harsh and incompatible with modern concepts of justice and human rights. The graphic nature of these stories serves to reinforce concerns about the potential cruelty associated with *Sharia* law.

Link to Religious Extremism and Violence: The connection between Sharia law and religious extremism is a recurring theme in the articles. The portrayal of religiously motivated violence, such as blasphemy killings and executions, is used to illustrate the perceived dangers of implementing *Sharia* law. By associating *Sharia* law with acts of violence and extremism, these articles contribute to the negative framing of its principles and raise questions about its place in a peaceful and tolerant society.

Impact on Marginalized Groups: News articles frequently address the impact of Sharia law on marginalized groups, particularly women. Stories highlight instances of gender-based discrimination and restrictions on women's rights based on *Sharia* law. The coverage of these issues underscores concerns about inequality and social injustice within the context of *Sharia* law, further shaping a negative perception of its principles and practices.

Social Media Protests and Public Sentiment: Many articles highlight the role of social media in facilitating protests and expressing dissent against the application of *Sharia* law. The coverage of online activism and protests, such as the #DoNotTouchMyClothes movement, underscores public



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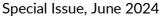


dissatisfaction and resistance to certain aspects of *Sharia* law. This narrative highlights the potential for conflict between traditional legal systems and evolving modes of communication and expression.

International Critique and Human Rights Concerns: The news articles consistently refer to international criticism and human rights concerns surrounding the implementation of *Sharia* law. Reports of human rights violations, clashes with modern human rights principles, and global condemnation contribute to a negative portrayal of *Sharia* law as a legal framework that may contradict universally accepted standards of human rights and equality.

Gradual Shifts and Adaptation: Some articles in The New York Times and The Washington Post discuss the gradual shift toward more conservative interpretations of *Sharia* law. These stories suggest that certain societies are moving towards stricter adherence to Sharia principles, potentially leading to greater restrictions on personal freedoms. The coverage of these shifts contributes to a narrative of increasing conservatism and raises questions about the potential implications for individual rights and freedoms.

Cultural Clash and Modernization: Another prominent theme is the cultural clash and tension between *Sharia* law and modernization. Articles often address how the application of *Sharia* law may conflict with efforts to modernize and adapt to changing societal norms. These stories emphasize the challenges of reconciling traditional legal systems with the demands of a rapidly changing world, further contributing to the negative framing of *Sharia* law.



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Secularism vs. Religious Authority: Several articles touch upon the tension between secularism and religious authority when it comes to the application of *Sharia* law. The coverage often highlights debates about the role of religion in governance and the potential implications for personal freedoms and rights. This theme underscores concerns about the potential dominance of religious institutions over legal and societal matters.

5. DISCUSSION

5.1 Implications of Misrepresentation and Bias

The implications of the misrepresentation and bias against *Sharia* law by popular news platforms are far-reaching and can have significant effects on public perception, social dynamics, and international relations. It contributes to the perpetuation of negative stereotypes about Muslims and Islam and leads to increased prejudice, discrimination, and Islamophobia, affecting the daily lives of Muslims around the world.

Biased reporting also hinders constructive dialogue and it becomes more challenging to have open discussions about the role of *Sharia* law and its compatibility with modern values, impeding progress toward mutual understanding. This misrepresentation skews public discourse by focusing on sensational aspects rather than nuanced discussions about the diverse interpretations and applications of *Sharia* law. This limits the public's ability to engage in informed discussions.

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5.2 Media's Influence Public Perception and on Understanding of Sharia

News media plays a pivotal role in shaping public perception, and the consistent misrepresentation and sensationalism surrounding Sharia law contribute to a skewed understanding among the general public about Sharia law's applicability in modern times. The negative framing reinforces stereotypes, perpetuates misinformation, and fosters an environment where an objective evaluation of Sharia law's compatibility with contemporary values becomes challenging.

Moreover, the media's role in amplifying biases can lead to a distorted image of the Islamic legal system, ultimately affecting how both Muslims and non-Muslims perceive Sharia law. Muslims may feel compelled to constantly defend or explain their faith, while non-Muslims may develop apprehensions or negative assumptions about Sharia law without a complete understanding of its complexities.

5.3 Balancing Cultural Sensitivity and Informed Reporting

Balancing cultural sensitivity with informed reporting is essential in dispelling myths and misconceptions about Sharia. historical By providing context. exploring varying interpretations, and engaging with experts, news media can contribute to a more comprehensive understanding of Sharia law. Journalists should approach the subject with an open mind, conducting thorough research, seeking diverse perspectives, and avoiding sensationalism.

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6. CONCLUSION

In conclusion, the extensive discourse analysis conducted across prominent news platforms—The New York Times. The Washington Post, CNN, and The Guardian—reveals a troubling pattern of negative portrayal and biased framing of Sharia law. The articles analyzed consistently display sensationalism, selective focus. and oversimplification. perpetuating misconceptions that distort the image of Sharia law and its applicability in modern times. These articles, with their sensational language and narrow perspectives, contribute to the reinforcement of negative stereotypes about Sharia law. They amplify the most extreme cases, often attributing complex societal issues solely to the legal system. Such biased reporting fosters an environment where Muslims are unjustly compelled to defend or explain their faith, and non-Muslims develop apprehensions based on incomplete and skewed information.

Furthermore, the media's undue emphasis on violence. restrictions, and controversial interpretations obscures the diverse range of perspectives and debates within Muslim communities regarding the application of Sharia law. By reducing a complex legal and ethical framework sensationalized articles, the media fails to provide the public with a nuanced understanding of the cultural, historical, and social contexts that shape Sharia law's implementation.

The implications of this biased portrayal are far-reaching. Public perception is profoundly influenced by the media's narrative, which can lead to the stigmatization of an entire legal system and faith tradition. Muslims may find themselves unfairly burdened with the responsibility to counter pervasive



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misunderstandings, while non-Muslims may harbor unwarranted apprehensions.

The media's role in shaping public opinion demands accountability and responsible reporting. News platforms must adopt a more balanced and nuanced approach when discussing Sharia law, one that acknowledges its diversity of interpretations, cultural variations, and ongoing dialogues about its relevance in the contemporary world. By embracing a more comprehensive view, the media can foster informed and constructive discussions that contribute to a more accurate and respectful understanding of Sharia law's applicability in modern times.

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APPENDIX

The New York Times

The Taliban's Dangerous Collision Course with the West

As the U.S. Seeks to Close Guantánamo, Saudi Center Could Be Option

Opinion | Afghanistan, One Year After the Fall

Why Most Muslims I Know Are Feeling a Growing Sense of Dread

Women in Iran Take Center Stage in Antigovernment Protests

In Sweeping Legal Overhaul, Indonesia Outlaws Sex Outside Marriage

In Kabul, a Test for Shariah

Opinion | Shariah's Winding Path into Modernity

We Muslims Used to Be the Culture War Scapegoats. Why Are Some of Us Joining the L.G.B.T.Q. Pile-On?

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Taliban Shut Afghanistan Beauty Salons, Rare Women's Public Spaces

In These Corners of Kabul, Western Influences Live On

The Washington Post

- Opinion | Missouri Legislature's dress code sounds like Sharia
- Jeanine Pirro's 'hijab' segment on Ilhan Omar earned a rebuke from Fox News — but sounds a lot like 2016 Donald Trump
- Taliban finalizes plans for new government not expected to include any former leaders
- Opinion | In long-secular Turkey, sharia is gradually taking over
- The Taliban says it will rule under sharia law. What does that mean?

CNN

- Marjorie Taylor Greene's history of dangerous conspiracy theories and comments
- Nigeria sentences teenage boy to 10 years in prison for blasphemy, prompting outrage
- How religious communities are modifying traditions to prevent coronavirus spread
- Man who advocated caning for adultery gets caned for adultery

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- President Joko Widodo says Islam in Indonesia is 'tolerant' as rights groups warn of rising fundamentalism
- Bodhi Mani Risby-Jones: Australian surfer faces possible flogging after alleged naked, drunken rampage in Indonesia
- Afghan women protest outside Kabul University as male students return to class
- Executions aren't new in Iran, but this time they're different
- Sex outside marriage ban tests Indonesia's relationship with democracy
- Pakistan court frees convicted rapist after 'agreement' to marry his victim
- Afghanistan: The Taliban pledged to honor women's rights.

 Here's how it eroded them instead
- Taliban carry out first public execution since returning to power in Afghanistan
- Opinion: Dr. Nasser 'Nas' Mohamed sought asylum in the US after coming out as gay. Here's what he wants people to know about Oatar
- Taliban to impose their interpretation of Sharia law in Afghanistan
- TikTokers caned and ordered to wash toilets as court rules they defamed Nigerian governor

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Saudi Arabia: Rainbow-colored toys and clothing are seized for indirectly 'promoting homosexuality'

Islamophobia: 9 tropes about Muslims

Afghanistan: Curtains separate male and female students as new term begins under Taliban rule

Malaysia seeks stricter sharia laws for 'promoting LGBT lifestyle'

Erdogan inaugurates major new mosque in heart of Istanbul

BBC

Afghanistan: Taliban leader orders Sharia law punishments

Nigeria's Sharia police bulldoze four million bottles of beer in Kano

BBC Radio 4 - You and Yours, Sharia pensions, Darts popularity,
Childcare youcher refunds

In pictures: 'Anti-Sharia' protests across America

Naz Shah: Sharia can co-exist with British law

Muslim women complain about Sharia inquiries

The UK women seeking divorce through Sharia councils

The Guardian

Latest blasphemy killing highlights Nigeria's problem with religious extremism

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Sudan court sentences three men to hand amputation for stealing

- Afghan supreme leader orders full implementation of sharia law
- Under the shadow of death: prisoners who escaped execution in Iran
- Iran condemns two women to death for 'corruption' over LGBTQ+ media links
- Sudan woman faces death by stoning for adultery in first case for a decade
- Taliban U-turn over Afghan girls' education reveals deep leadership divisions
- Lives of LGBTQ+ Afghans 'dramatically worse' under Taliban rule, finds survey
- Indonesian woman flogged 100 times for adultery, man gets 15 lashes
- 'We buried our sportswear': Afghan women fear fight is over for martial arts
- #DoNotTouchMyClothes: Afghan women's social media protest against Taliban
- Suicide still treated as a crime in at least 20 countries, report finds
- Islamic faith marriages not valid in English law, appeal court rules



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Brunei says it will not enforce gay sex death penalty after backlash

Malaysian man who married 11-year-old Thai girl fined \$450 by Sharia court

'A vigilante state': Aceh's citizens take Sharia law into their own hands