

Anti-Shari'a amendment struck down by court

by [Omar Sacirbey](#) in the [September 18, 2013](#) issue

A federal judge has struck down Oklahoma's constitutional amendment that would have prohibited judges in the state from considering Shari'a law.

The amendment was approved by about 70 percent of Oklahoma voters on November 2, 2010, but the American Civil Liberties Union and the Council on American-Islamic Relations sued to block the amendment, arguing it violated separation of church and state and discriminated against Muslims.

A U.S. District Court judge agreed and issued a temporary injunction against the amendment. That decision was upheld in 2011 by a federal appeals court that returned the case to the judge, who made the final ruling on August 15.

"It is our hope that, in finding this anti-Islam law unconstitutional, lawmakers in other states will think twice before proposing anti-Muslim laws of their own," said Gadeir Abbas, a CAIR staff attorney and counsel for the plaintiffs.

A call to the Oklahoma governor's office was not immediately returned.

The amendment struck down specifically mentioned Shari'a and is different from anti-Shari'a laws adopted over the last few years by state legislators in Arizona, Kansas, Louisiana, South Dakota, Tennessee, and Oklahoma.

North Carolina became the seventh state to prohibit judges from considering Shari'a in their decisions. Gov. Pat McCrory left the measure unsigned, but neither did he veto it. It became law on August 25.

While these laws do not mention Shari'a, but refer rather to "foreign law," their backers have stated Shari'a is the target. Those laws have not been challenged in court, although Muslim civil rights activists say they may still try. —RNS