



Written by [Kelly Holt](#) on November 9, 2010

Judge Draws Ire in Suspending Oklahoma Sharia Ban

Two days after Oklahomans voted in the mid-terms to ban Islamic, or Sharia, law from state courtrooms, the Council on American-Islamic Relations (CAIR) said it would file suit. Said suit was filed on Thursday, and on Monday, Fox News reported a prominent Muslim had won a temporary restraining order in federal court.



The measure, passed by approximately 70 percent of Oklahoma's voters, would require courts to rely on federal and state law, and not international or Sharia law. *The New American* asserted on November 5 that Oklahomans were responding to instances in England, and one case in New Jersey, in which Sharia creep had caused unfavorable rulings. [Louisiana and Maryland courts](#) also heard cases involving Sharia tenets. Sooner Staters interpreted the measure as a [preventive](#) one against similar developments in their own state.

Sharia (meaning "path") law, found in the Koran is the basis of law in most Islamic countries, and its implementation has been used to condone harsh punishments such as stoning, the amputation of a hand for stealing, or caning of a rape victim.

But, after Monday's ruling, State Senator Anthony Sykes, co-author of the bill and State Representative Rex Duncan, a cosponsor, were quick to criticize the ruling of U.S. District Court Judge Vicki Miles-LeGrange, and the State Attorney General Drew Edmondson.

The result of LeGrange's ruling would place Oklahoma's ban in suspension until a hearing on November 22. The judge will then hear arguments on whether the temporary injunction should become permanent.

Sykes said the judge ruled as she did because Attorney General Edmondson failed to respond to the suit.

The attorney general failed to file a response. I am afraid that this might get written in stone ... that shouldn't be because the attorney general is leaving and a new one is coming in.

Duncan said he was disappointed that the judge's "words from the bench indicated she had completely embraced the plaintiff's arguments. They were pretty extraordinary statements from the judge."

The plaintiff, CAIR executive director Muneer Awad, claimed the law violates his constitutional rights, observing:

Today's ruling is a reminder of the strength of our nation's legal system and the protections it grants to religious minorities.



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We are humbled by this opportunity to show our fellow Oklahomans that Muslims are their neighbors and that we are committed to upholding the U.S. Constitution and promoting the benefits of a pluralistic society.

How the implementation of Sharia law in opposition to U.S. law upholds the Constitution was not addressed in his statement.

Some have noted the irony in Awad's use of the U.S. legal system and rights to forward the Muslim agenda and diminish the very system of fairness upon which he is relying.

Both Sykes and Duncan believe the state should have challenged whether Awad even had the standing to bring the case. Duncan commented:

As far as we know, he flew into here from Georgia just to make the case. We don't think he is an Oklahoma resident or plans to stay. We don't think he had standing.

While Oklahoma is still able to defend itself against this sort of hideous invasion, we should do so.

Duncan and other opponents believe that allowing Sharia law to supersede federal or state law will deny certain constitutionally guaranteed rights to Americans — rights such as due process, or equality for wives within marriage. Sharia law is not compatible with order and liberty as Americans have come to know it under constitutional law.

Oklahoma's battle to govern itself as it sees fit will not be the last fight on this issue. As more Muslims come to reside in America, we can expect to have to do battle for processes that may appear to be obvious. Some who anticipate these kinds of problems are finding hope in the idea of nullification, and invoking the Tenth Amendment rights guaranteed to states in the supreme law of the land.



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