



Written by [James Heiser](#) on November 5, 2010

Oklahoma Bans Sharia Law from Courts; CAIR Files Suit

On Tuesday, a substantial majority of the citizens of Oklahoma took a firm stand for the sufficiency of relying on American law in the courtrooms of their state.

[State Question 755](#) on the ballot in the Sooner State placed the following measure before the voters:

This measure amends the State Constitution. It changes a section that deals with the courts of this state. It would amend Article 7, Section 1. It makes courts rely on federal and state law when deciding cases. It forbids courts from considering or using international law. It forbids courts from considering or using Sharia Law.



International law is also known as the law of nations. It deals with the conduct of international organizations and independent nations, such as countries, states and tribes. It deals with their relationship with each other. It also deals with some of their relationships with persons.

The law of nations is formed by the general assent of civilized nations. Sources of international law also include international agreements, as well as treaties.

Sharia Law is Islamic law. It is based on two principal sources, the Koran and the teaching of Mohammed.

Shall the proposal be approved?

Nearly 700,000 voters — approximately 70 percent of those Oklahomans casting a ballot — voted “Yes” on Question 755. Undoubtedly many voters considered the answer to the question to be immediately obvious, and might even have marveled that the question was being asked in the first place. Who would want foreign law or religious regulations to have any place in the courts of these United States?

However, the sad necessity of Question 755 was demonstrated in the immediate aftermath of its adoption, as lawyers for the Council on American-Islamic Relations (CAIR-OK) of Oklahoma announced two days after the election that they would file suit challenging the question’s constitutionality.

Supporters and opponents of the measure had, of course, publicly sparred over Question 755 in the months leading up to election day. [An October 21 story for FOX 23 \(Tulsa\)](#) offered both sides of the debate an opportunity to present their positions. The CAIR viewpoint was quite revealing:

“It’s not about Shariah law at all. It’s really about anti-Muslim bigotry,” says Razi Hashimi, spokesperson for CAIR.

Muslim Americans say the measure sends a message of hatred and intolerance, and non-Muslims should not be concerned about Shariah Law.

“As long as it doesn’t affect you in any way, why should you be concerned how I solve a problem



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between me and my brother, or neighbor who is Muslim? I do not think it should be a matter of concern for a non-Muslim,” asserts Tulsan Mohamed Boudhhir.

CAIR argues the initiative is unnecessary, since the Constitution does not allow religious law to supercede American law.

But it would appear that a majority of Oklahoma voters read Question 755 and came to the conclusion it was precisely about Sharia Law, and those same citizens might find it difficult to understand how that ballot measure could be an unnecessary repetition of constitutional principles and simultaneously a violation of the Constitution.

[As Connie Hair wrote for HumanEvents.com:](#)

As previously reported on HUMAN EVENTS, free speech rights are under assault worldwide through violence, threats of violence, and Sharia-compliant “incitement” laws.

In England, 85 Sharia courts are in use and are pulling even non-Muslims into the system, threatening to overturn equal justice in the courts.

The American Thinker tells of a June 2010 study titled “Sharia Law in Britain: A Threat to One Law for All and Equal Rights,” which begins with a quote from the Secretary General of the Islamic Sharia Council Suhaib Hasan, “If Sharia law is implemented, then you can turn this country [Great Britain] into a haven of peace because once a thief’s hand is cut off nobody is going to steal.” Furthermore, “once[,] just only once, if an adulterer is stoned[,] nobody is going to commit this crime at all,” and finally, “we want to offer it to the British society. If they accept it, it is for their good and if they don’t accept it they’ll need more and more prisons.”

Any attempt to shut down the dual court system in England would likely cause more jihadi violence and bloodshed.

In 2005, Canada rejected setting up the dual court system amid vocal protest, yet Sharia is creeping into the legal system in divorce and custody cases, undermining the equal status of women under the law.

In the United States in August, a New Jersey judge denied a restraining order to a Muslim woman after she had been repeatedly raped by her husband. Marital rape is permitted under Sharia law.

Given the appearance of what many fear are the spreading tendrils of a theocratic system of law in the United Kingdom and Canada, the Oklahoma ballot measure was clearly interpreted by many voters as a preventative measure against similar developments taking place in this country, as well. Given such concerns, the reaction of CAIR-OK may well feed such fears. As Robert Spencer poignantly summarized the situation for [JihadWatch.org](#): “Oklahoma bans stonings, amputations for theft, death for apostates, Muslims cry ‘Islamophobia.’”

The notion that American courts should be ruled by American law hardly seems, on the face of it, a concept plagued by bigotry or the seedbed of anti-Muslim intolerance. Instead, the question presented to Oklahoma voters — and which they overwhelmingly answered in the affirmative — is whether all who reside within these United States should be held accountable to the same system of law, and that system being established by secular, not religious, authority.

Photo of a caning given under sharia: AP Images



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