



Written by [Joe Wolverton, II, J.D.](#) on April 12, 2011

## Texas Legislature Considers Bills to Ban Foreign Law from State Courts

Texas lawmakers are continuing their quest to prohibit Shariah law from being accepted as persuasive in any court in the Lone Star State. This includes any cultural considerations and implications of any foreign law or code, including the Islamic Shariah law.



The chief sponsor of one of the measures, Representative Leo Berman (R-Tyler), stated that the goal of his proposed bill is to require Texas courts to uphold and apply only the laws ordained by the constitutions of [Texas and the United States], prohibiting any other interpretation.

“We all know what Shariah law does to women women must wear burqas, women are subject to humiliation and ... controlled marriages under Shariah law,” he continued, in defense of his bill. “We want to prevent it from ever happening in Texas.”

Bermans bill to exclude foreign laws from being applied in Texas courts, as well as a similar proposal sponsored by Rep. Randy Weber (R-Pearland), were brought before the House Committee on Judiciary and Civil Jurisprudence last week. Both measures are still pending committee approval.

Texas is among several states including Alaska, [Oklahoma](#), Louisiana, and [Tennessee](#) seeking to legislatively forbid judges from applying Shariah-based laws in cases brought before them.

Shariah, which means path in Arabic, is the sacred law of Islam. The precepts of Shariah have two sources: the Koran and the writings of Mohammed. Shariah is the code that is responsible for the stoning of adulteresses; the caning of rape victims; and the restrictions on dress, rights of inheritance, and marital status of women.

Given the provenance of the Shariah code, there are those opposed to the proposed bills in Texas and elsewhere who accuse supporters of religious bigotry. There are, however, other aspects of the law that are legitimate causes for concern.

“It’s not just happening in Dearborn,” Pat Carlson, a Fort Worth woman and president of the conservative Texas Eagle Forum, told the committee. “This is something happening in other states.” Carlson told the committee that she believes that Shariah has got tentacles in our country.”

Upon hearing Ms. Carlsons testimony, one committee member questioned the necessity for the measure.

“Even if what you are saying is true, there are extremists on every end of the political spectrum,” commented Rep. Joaquin Castro (D-San Antonio), a committee member. “So what makes you think they’re going to take over the country?”



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Undeterred, proponents have marched steadily forward toward the enactment of a law that will forever protect Texas from the influence of foreign law.

As [reported](#) by the *Houston Chronicle*:

Dorrie O'Brien, a Grand Prairie woman who worked to add a plank to the Republican Party of Texas' platform in 2010 asking state lawmakers not to let Shariah be recognized in Texas, said lawmakers need to take a stand.

"Shariah law is a complete way of life," she said. "We cannot have a substitute law ... running alongside our Constitution."

"There can only be one set of law recognized in the United States. Shariah law goes against everything that we believe in."

[Texas state Representative Randy] Weber said Shariah isn't the only foreign law that he and others are concerned about.

"We are concerned about any other foreign law," he said. "This is a unique opportunity ... to do something really historic."

"It doesn't mean that we are paranoid. It just means we protect our own."

Both bills are currently stalled in committee.



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