

Anti-Shariah movement loses steam in state legislatures

by [Omar Sacirbey](#)

March 22, 2012

c. 2012 Religion News Service

(RNS) At this point in 2011, 22 state legislatures had either passed or were considering bills to prohibit judges from considering either Islamic law, known as Shariah, or foreign law in their decisions.

What a difference a year can make.

The wave of anti-Shariah legislation has broken in recent weeks, as bills in several states have either died or been withdrawn, raising questions about whether the anti-Shariah movement has lost its momentum.

New Jersey Assemblywoman Holly Schepisi and Minnesota state Sen. David Thompson, both Republicans, withdrew anti-foreign law bills after Muslim and interfaith leaders criticized the measures as anti-Muslim.

"It was never meant to be an anti-Shariah law bill, it was meant to be an anti-foreign law bill," Schepisi said in an interview, speaking about the bill she withdrew March 12. "But after sitting down with members of the Muslim community, and taking into consideration everything they'd been through in the last few weeks, I didn't want to create any more tension."

New Jersey Muslims have rallied in recent weeks against a surveillance program of Muslim businesses and community centers in Newark and elsewhere conducted by the New York Police Department.

Thompson, too, had a change of heart.

"It was never my intent to introduce legislation that was being targeted to any one group," said a statement from Thompson, who submitted his proposal on March 2, but withdrew it three days later after interfaith leaders criticized him at a press

conference.

According to Gavel to Gavel, an online newsletter that tracks state laws affecting courts, similar bills have also recently died or are likely to die in Florida, Georgia, Indiana, Iowa, Mississippi, and New Mexico, although at least a few of them could be revived next year.

Last year, anti-foreign law bills died in the Arkansas, Maine, Texas, and Wyoming legislatures, and were not revived this year, according to Gavel to Gavel.

"There really wasn't much time or interest in discussing this," said John Schorg, a spokesman for Indiana's House Democrats.

While the anti-Shariah movement may be losing momentum, it certainly hasn't gone away. On March 12, South Dakota Gov. Dennis Daugaard signed an anti-foreign law bill, joining Arizona, Louisiana, Oklahoma, and Tennessee in passing such laws.

And in Florida, Democratic state Sen. Nan Rich, the minority leader, acknowledged that practicality, not principles, is what undid the anti-foreign law bill there.

"I wish I could say it died because of an anti anti-Shariah law effort, but unfortunately I think it more came down to the crunch of bills in the last week of (the legislative) session," Rich said.

While Democrats and some moderate Republicans opposed the bill, most Republicans -- including Senate President Mike Haridopolos, who did not reply to requests for comment -- favored the bill.

"I doubt we could have stopped the bill if it came to a vote," said Rich.

At the moment, anti-foreign law bills are alive in 13 states, including Oklahoma, where an anti-Shariah constitutional amendment passed by voters in 2010 has been ruled unconstitutional by two federal courts, prompting Sooner State lawmakers to craft a revised version.

At the federal level, Rep. Sandy Adams, R-Fla., introduced a bill last year limiting judges from considering foreign laws in their decisions, although it has gained little traction since then.

But even in states where the legislation is still alive, anti-Shariah advocates are facing increased criticism. For example, the Philadelphia City Council in February passed a resolution condemning an anti-Shariah proposal being considered in Pennsylvania's state legislature. The Virginia legislature moved a vote on the issue to 2013, a move that some observers said showed wariness about the legislation.

In New Jersey, Republican Gov. Chris Christie pounced on critics last year who said he was allowing Shariah into American courts after he appointed a Muslim judge to the state's Superior Court.

"This Sharia law business is crap," Christie said in his signature blunt style. "It's just crazy. And I'm tired of dealing with the crazies."

Sentiments are changing among the electorate, too. According to a February survey by the Washington-based Public Religion Research Institute, 14 percent of Americans said they believed Muslims wanted to impose Shariah in America, down from 30 percent in September.

The anti-Shariah law bills have been undermined mainly by three arguments: that they are discriminatory against Muslims; that they could affect other religious groups such as Jews and Catholics whose religious laws are sometimes used by judges to decide family or property law disputes; and that they could discourage business by invalidating foreign business laws.

"This is aimed at the Muslim community, but it affects all religions," Rich said.

Despite staving-off anti-Shariah bills this year, at least a few legislators expect to face the same battle again next year.

"As long as there are true believers who see this unfounded menace, they're going to look for ways to attack it," said state Rep. Stacey Abrams, the Democratic leader in the Georgia House of Representatives. "But I don't think that we as a state are inclined to be that xenophobic."

Rich was similarly resigned, but also optimistic.

"This bill will be back next year, unfortunately," said Rich. "But maybe by next year, hopefully, people will be more educated about this."