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Oklahoma anti-Shariah amendment struck down

by Omar Sacirbey by Religion News Service

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

The amendment was approved by about 70 percent of Oklahoma voters on Nov. 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 Thursday.

"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 Thursday specifically mentioned Shariah, and is different from anti-Shariah laws adopted over the last few years by state legislators in Arizona, Kansas, Louisiana, South Dakota, Tennessee and Oklahoma. North Carolina legislators also passed an anti-foreign-law bill this spring, which is now on the desk of Gov. Pat McCrory, who must decide by Aug. 25 whether to sign or veto it.

While these laws do not mention Shariah, but "foreign law," their backers have stated Shariah was their target. Those laws have not been challenged in court, although Muslim civil rights activists say they may still try.

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