



Written by [Bruce Walker](#) on June 9, 2010

Oklahoma Lawmakers Resist Using Sharia (Islamic law) in Court

Oklahoma lawmakers are supporting an amendment to the Oklahoma Constitution that would prohibit state courts from relying upon Sharia (Islamic law) or international law in deciding cases.

House Joint Resolution 1056 would place the issue before Oklahoma voters in November. This resolution, nicknamed “Save Our State,” has been proposed because of a rising concern with courts citing non-American sources as legal authority. Sharia, in particular, poses a threat to traditional American values. Honor killings and similar crimes are seeping into our nation, with justification under traditional Islamic law an increasingly common concern.



American courts have relied upon English Common Law since before the Revolutionary War. This legal tradition reflects the values of American society and the principles of the Constitution. One state, Louisiana, bases its legal system upon the Civil Law tradition of France, largely because of the French Arcadian migration to Louisiana and the historic nexus of French influence in New Orleans. This alternative approach to law also precedes the Revolutionary War and blends well with the traditions of America.

Sharia, however, is directly counter to the foundational principles of the United States. Equality under the law, separation of church (or mosque) and state, prohibition on cruel and unusual punishments — to cite only a few examples — are conspicuous by their absence in Islamic Law. Oklahoma State Representative Lewis Moore, a co-author of the resolution, said, “I don’t think we should accept or encourage Sharia law in any way, shape or form.” State Representative Rex Duncan notes that Oklahoma is the first state to propose this pre-emptive strike on using Islamic law, and success at the ballot box in November may embolden other states to follow suit.

CAIR and other Moslem organizations have expressed predictable hostility to the state question. Ibrahim Hooper, who is a spokesman for the Council on American-Islamic Relations, has compared the rhetoric behind this resolution to the Nazis and has declared this to be “the flip side of the anti-Semitic coin.” He and other Moslem leaders have said that if this passes, it would prohibit Moslem women from wearing scarves when their driver’s license photo was taken, would keep Moslems from praying at work, and would require Moslems at school to eat pork.

Actually, this question has been resolved in America. Orthodox Jews, for example, wear distinctive dress to school and to work. These Jews also refrain from work or study on Yom Kippur. Orthodox Jews, like Moslems, have special dietary laws — in many ways much more restrictive than under Sharia. The existing legal system in America has accommodated Orthodox Jews, like different sects of Christianity,



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with remarkable ease.

States like Oklahoma and Arizona (with its “controversial” state law requiring that federal law be enforced) are showing serious backbone in defending the borders — physical and cultural — of America. As Rex Duncan said, state governments interested in preserving our country may lead the way to real defense of our way of life.



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