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Louisiana At Leading Edge In Fight Against Shariah

Posted by: Christopher Holton on Monday, August 16, 2010, 19:35

Tagged with: [Culture](#) [Legal system](#) [Military/Security](#)By Christopher Holton
Vice President, Center for Security Policy

There is a term which you may have seen or heard mentioned in the news, the blogosphere or on talk radio lately that you should know more about: Shariah. (Sometimes spelled Sharia or Shari'a, as well as some other variations.)

Readers of *The Hayride* may also be interested to learn that Louisiana is actually at the forefront of the fight against Shariah.



Background: What Exactly Is Shariah?

Polling done by Family Security Group back in 2008 indicated that only 3% of Americans were even aware of the term Shariah—and an even smaller percentage actually knew what it was.

So we will begin with a basic description of Shariah.

Shariah, often referred to as "Islamic Law," is in actuality a legal doctrine based on the Quran and Hadiths (sayings and acts of Mohammed), but one which goes far beyond what Westerners would regard as religious matters or routine legal matters.

Shariah covers all aspects of life, including criminal law, domestic law, statecraft and warfare (Jihad). Shariah encompasses personal ethics and legal issues, religion and state governance, this world and the afterlife. Shariah is said to enforce the will of Allah, as opposed to the will of humans. Shariah regulates belief, speech and religious practice, criminal and legal matters, and other fields including finance and war. There is no such thing as a separate secular authority or secular law under doctrinal Shariah, since religion and state are not distinct, but are one.

Shariah is a code which is best known for being the law of the land in Saudi Arabia, Iran and Sudan, three nations with some of the most horrible human rights records in the world. It is no coincidence that these three nations are also heavily involved in Jihadist terrorism.

Shariah can be accurately described as reactionary, deliberately vague and, in its implementation, barbaric.

Shariah mandates as a religious obligation:

- Violent jihad against non-Muslims to establish Islam's rule worldwide (known as the caliphate).
- The killing of apostates from Islam.
- The killing of adulterers and homosexuals.
- Severe discrimination against women. This includes persecution of women and execution by stoning of women who are suspected of adultery. Often these women are in reality victims of rape.
- Barbaric punishment (limb amputations, gouging out of eyes) for petty crimes such as theft.
- Severe discrimination against, and the subjugation of, non-Muslims.
- For those Muslims who cannot engage in physical jihad using force, shariah mandates that they support jihad financially—"Jihad with money."

Shariah and its tenets are completely at odds with everything America and Western Civilization stand for: freedom, equality, tolerance and justice. The promotion of shariah represents a commitment to the replacement of secular political orders. In other words, shariah sets as its goal the destruction of documents like the US Constitution and the basic liberties set out therein.

The purpose of Shariah is submission. Shariah seeks to establish that Allah is the divine lawgiver and that no other law may properly exist but Allah's law.

Shariah tries to attain this objective using non-violent methods. However when required, and under specified sets of conditions, the use of violence and outright war to establish the supremacy of Shariah is not just allowed, but *required*. This use of force or war is called *Jihad*.

A key objective of Shariah is to establish submission to Allah's law by either converting people to Islam or subjugating them to rule under Shariah law

The doctrine of Jihad is fundamental under Shariah because it is based upon unambiguous verses in the Quran and Hadiths. Jihad is regarded as key in Islamic jurisprudence: until the kafir (unbelievers: infidels and polytheists) are converted, subjugated, or eliminated, their mischief and power will injure the Islamic world. Jihad is waged chiefly through violence and war but it also includes other non-violent methods such as infiltration, subversion and information/psychological warfare.

Here is a very important point: Shariah is very different from other forms of religion. <http://thehayride.com/2010/08/louisiana-at-leading-edge-in-fight-against-shariah/>



law or Catholic canon law in that neither of the latter is meant to apply to non-Jews or non-Catholics respectively. In contrast, much of Shariah is explicitly meant to apply to non-Muslims.

Shariah requires that it be dominant and it is an outright crime under Shariah for a Muslim to adhere to a secular law system that does not explicitly state and make clear that Shariah is the "highest law of the land".

Shariah and Violent Jihad

The connection between Shariah and violent Jihad is important because it represents the most apparent—*though far from only*—threat from Shariah.

A detailed review of Jihadi literature reveals that, in fact, Shariah is the enemy's threat doctrine.

Shariah is the basis for everything the Jihadists do and it is also their main goal.

Don't take my word for it, here it is in their own words:

- *The sharia has forbidden us from taking infidels as confidants, inducting them into our secrets.*
- *The sharia forbids us from appointing infidels to important posts.*
- *The sharia forbids us from adopting or praising the beliefs and views of the infidels.*
- *The sharia forbids us from assisting infidels against Muslims; even the one who is coerced has no excuse to fight under the banner of the infidels.*
- *The sharia commands us to battle infidels—both original infidels and apostates, as well as hypocrites. As for waging jihad against the infidels who have usurped the lands of Islam, this is a duty considered second only to faith, by ulemaic consensus.*
- *The sharia does not accept the excuses made by hypocrites—that they befriend the infidels because they fear the vicissitudes of time.*
- *We are duty-bound by the sharia to help Muslims overcome the infidels.*

- Ayman al-Zawahiri, Al Qaeda Ideologue and 2nd in Command

"Democracy is based on the principle of the power of creatures over other creatures, and rejects the principle of God's absolute power over all creatures; it is also based on the idea that men's desires, whatever they may be, replace God absolutely, and on the refusal to obey God's law. In Islam, when there is a disagreement or a difference of opinion, one refers to God, his Prophet, and the commands of sharia."

- Ayman al-Zawahiri

"From the point of view of ideology and sharia, we are required to establish God's rule over any part of this earth, regardless of particularities and details. This can only happen, however, if the nation adopts this ideology and safeguards it."

- Sayyed Hassan Nasrallah, Commander of Hizballah

"The laws of the shari'a embrace a diverse body of laws and regulations, which amounts to a complete social system. In this system of laws, all the needs of man have been met: his dealings with his neighbors, fellow citizens, and clan, as well as children and relatives; the concerns of private and marital life; regulations concerning war and peace and intercourse with other nations; penal and commercial law; and regulations pertaining to trade and agriculture."

- Ayatollah Ruhollah Khomeini, Supreme Leader of the Islamic Republic Of Iran 1979-1989

"Reason also dictates that we establish a government in order to be able to ward off aggression and to defend the honor of the Muslims in case of attack. The shari'a, for its part, instructs us to be constantly ready to defend ourselves against those who wish to attack us."

- Ayatollah Khomeini

"It will be the duty of the Muslims to engage in an armed jihad against the ruling group in order to make the policies ruling society and the norms of government conform to the principles and ordinances of Islam."

- Ayatollah Khomeini

"If the enemy attacks the lands of the Muslims or their borders, it is the duty of all Muslims to defend them by any means possible, including the sacrificing of one's life and the expenditure of one's wealth. With respect to this matter, there is no need to seek the permission from a shari'a judge."

- Ayatollah Khomeini

"Our whole struggle is for the enforcement of Shariah law."

- Muslim Khan, Taliban spokesman

"Practically everything valued by the immoral West is condemned under sharia law. The sharia provides

true and just path, securing Muslims, and providing peace to the world. Muslims, and especially the learned among them, should spread sharia law to the world—that and nothing else. Not laws under the “umbrella of justice, morality, and rights” as understood by the masses. No, the sharia of Islam is the foundation.

They say that our sharia does not impose our particular beliefs upon others; this is a false assertion. For it is, in fact, part of our religion to impose our particular beliefs upon others.

Thus whoever refuses the principle of terror[ism] against the enemy also refuses the commandment of Allah the Exalted, the Most High, and His sharia.”

- Osama Bin Laden

Whenever an attempted Jihadi attack occurs or terrorist plot surfaces here in the US, [it is important to realize that there is a doctrine underlying these actions.](#)

(The Center for Security Policy has made available, free of charge, the definitive work on the subject of Shariah and Jihad on its web site: [To Our Great Detriment: Ignoring What Extremists Say About Jihad](#)).

Stealth Jihad: The Civilizational Threat

The threat from Shariah extends far beyond that of violent Jihad. The threat also manifests itself in other ways. This threat is sometimes referred to with three interchangeable terms:

- “Creeping Shariah”
- “Stealth Jihad”
- “Civilizational Jihad”

When Jihadist forces are not powerful enough to impose Shariah by force, Shariah slowly infiltrates a target society and culture over time.

This has already occurred in much of Western Europe:

- In the United Kingdom, 85 Shariah courts operate openly with the force and authority of common law. Originally meant to strictly settle disputes between Muslims, 15% of the cases they hear now involve disputes with non-Muslims.
- In several nations, including Sweden and France, Muslim enclaves have developed which are essentially autonomous zones that are ruled by Shariah law.
- In the United Kingdom and South Africa, due to the “necessity” of accommodating Muslims into the welfare system and succession and inheritance laws, polygamous Muslim marriages are now de facto recognized by the respective governments.

Lest you think that this will not become a problem in the United States, think again. Shariah is already starting to appear in our courts, especially in the area of family law:

- You probably didn’t know that there is something called the [“Texas Islamic Court.”](#) It decides cases according to Shariah and its rulings sometimes end up in actual state court:
- The [Islamic Society of North America](#) (ISNA), which was identified as a Muslim Brotherhood organization and named an unindicted co-conspirator in the largest terrorism financing conviction in US history (*United States versus Holy Land Foundation*), runs arbitrations here in the US according to Shariah:
- There have been dozens of instances in which Shariah has been invoked in US courts, mostly unsuccessfully, *but not always*. Here are two of the most infamous cases, brought to our attention by Stephen Gele of Lawyers Against Shariah:
 - In *S.D. v. M.J.R.* in the state of New Jersey, a New Jersey judge saw no evidence that a Muslim committed sexual assault of his wife — not because he didn’t do it, but because he was acting on his Islamic beliefs: “This court does not feel that, under the circumstances, that this defendant had a criminal desire to or intent to sexually assault or to sexually contact the plaintiff when he did. The court believes that he was operating under his belief that it is, as the husband, his desire to have sex when and whether he wanted to, was something that was consistent with his practices and it was something that was not prohibited.” Fortunately, [an appellate court overturned this atrocious decision](#), and a Shariah ruling by a U.S. court was not allowed to stand.
 - In a Maryland case, *Hosain v. Malik*, 108 Md.App. 284, 671 A.2d 988 (Md.1996), a Maryland Court granted comity and enforced a Pakistani custody order turning a child brought to the US by the mother over to the father. The Maryland Court held that: the burden was on the mother to prove the Pakistani court did not apply law in “substantial conformity with Maryland law” by a preponderance of the evidence; the case was “not about whether Pakistani religion, culture, or legal system is personally offensive to us or whether we share all of the same values, mores and customs, but rather whether the Pakistani courts applied a rule of law, evidence, or procedure so contradictory to Maryland public policy as to undermine the confidence in the trial”; the best interest of the child should not be “determined based on Maryland law, i.e., American cultures and mores,” but rather “by applying relevant Pakistani customs, culture and mores”; “a Pakistani court could only determine the best interest of a Pakistani child by an analysis utilizing the customs, culture, religion, and mores of ... Pakistan”; “in the Pakistani culture, the well being of the child and the child’s proper development is thought to be facilitated by adherence to Islamic teachings”; the Pakistani order was not the result of “a trial by fire, trial by ordeal, or a system rooted in superstition, or witchcraft”; the “longstanding doctrine [of Hazanit1] of one of the world’s oldest and largest religions practiced by hundreds of millions of people around the world and in this country, as applied as one factor in the best interest of the child test, is [not] repugnant to Maryland public policy”; and, the granting of the order by the Pakistani Court without representation for the mother was not repugnant to Maryland public policy because although she may have been arrested for adultery if she returned to Pakistan for the custody proceedings and have been subject to “public whipping or death by stoning,” such punishments were “extremely unlikely.”

Louisiana residents may be interested in knowing that similar cases have arisen in the Bayou State, including a child custody case with fortunately a very different outcome from that in Maryland (again, thanks to Stephen Gele):

In *Amin v. Bakhaty*, 01-1967 (La.10/16/01), 798 So.2d 75, the Louisiana Supreme Court refused to enforce an Egyptian custody order stating that: The only other forum that could possibly determine custody would be Egypt. However, the Egyptian Court is not compelled to consider the minor child’s best interest. [The father] would have the

absolute right to guardianship, as well as the right to physical custody. This Court believes that a parent's interest in a relationship with his or her child is a basic human right. Egypt follows Islamic family law, which structures some of the rights between family members based solely on gender. Under the Egyptian concept of "guardianship," the father has the absolute right to the guardianship and the physical custody of the minor child. [The father]'s affidavit when he petitioned for a civil warrant confirmed this structure in Islamic law, stating that by operation of Egyptian law, both the temporary guardianship and physical custody of [the child] rested exclusively with him. The unique circumstances of this case required more consideration for the best interest of this child than for the extension of comity toward the Egyptian/Islamic legal system.

American and Louisiana Laws for Louisiana Courts

State lawmakers across America are starting to take action to prevent the US from ending up like Western Europe, a victim of Creeping Shariah. Potential presidential candidate and former House Speaker Newt Gingrich recently addressed the issue in a policy speech:



Some of you may have heard of the upcoming ballot initiative in Oklahoma to outlaw Shariah law. This initiative will appear on the ballot there in November.

Most people do not realize, however, that, along with Tennessee, Louisiana already took the lead in preventing Shariah from creeping into our legal system with a new law which has been nicknamed "American and Louisiana Laws for Louisiana Courts."

This law, [Act 714 of the regular Louisiana 2010 legislative session](#), was a collaborative effort by Rep. Ernest Wooton and Senator Danny Martiny. Governor Bobby Jindal's office was aware of this bill and its intent from the earliest stages and the governor dispatched staff to appear in support of the bill in committee:

The key passage in this important piece of legislation explains its intent and effect:

"The legislature finds that it shall be the public policy of this state to protect its citizens from the application of foreign laws when the application of a foreign law will result in the violation of a right guaranteed by the constitution of this state or of the United States, including but not limited to due process, freedom of religion, speech, or press, and any right of privacy or marriage as specifically defined by the constitution of this state."

Because Shariah is inherently violative of the basic constitutional liberties which Americans hold dear, this law arms judges and attorneys with the tool they need to prevent anything such as happened in Maryland and New Jersey from happening in Louisiana.

Act 714 is now model legislation for the rest of the country and has already been used by legislators in states from coast to coast to prepare legislation in the 2011 legislative session.

Tagged with: [Culture](#) [Legal system](#) [Military/Security](#)

Kevin

The legislature, for all its usual faults and failings, got THIS one absolutely correct. They were PROactive instead of REactive – nipping this in the bud before it becomes a real problem. Well done, folks.

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We keep fighting here in Louisiana: Radicals and antiAmericans. get the h3ll out of our Country!

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PRO-AMERICAN

YAY!! We have got to keep fighting to save our Country, OUR America!! I am so glad to hear Newt Gingrich not just say this but to draw the distinction for those afraid to make a stand and say no on how it is done in America. I agree w/ you. If they don't like it/ want it then leave....the sooner the better.

FYI: I read the other night that the largest population converting to muslim is the hispanics. They are coming here in droves and this is just one more problem they present. I am not preudice, I am AMERICAN and want my country to stay American!

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<http://terrortrendsbulletin.wordpress.com/TerrorTrends>
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<http://thehayride.com/macaoidh>
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Ray Burke
Islam and its sharia law is antithetical to America's best interests in every respect. Islam is an abomination and must be aggressively resisted in every possible way. Muslims are required by their religion to convert all non-believers to Islam and kill those who refuse to accept Islam. This is not the time to turn the other cheek. These intransigent fanatics are determined to turn our country into an Islamic entity ruled by sharia law. Live free or die !!!

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<http://callofthepatriot.blogspot.com/PatriotUSA>

Mr. Holton,
As a Counter Jihadist, Constitutional Conservative, and certified 100% islamophobe, you have done an excellent job with this article. I have been a student of islam, sharia law for years and do alot of reading. The threat from islam and sharia law is more dangerous than the nazi movement of Germany. With 1.2 billion muslims in the world, the task of educating Americans to the evil and horrors of islam and sharia law is immense and a major challenge. The country is waking up. I wish my state of Oregon could do the same as yours but we need to rid the state of the libtards that made Oregon a wreck, thanks to the liberal, progressive agenda. I have cross posted this to my site with links back to here. Thank you for your efforts!

I urge all of you reading this to educate yourselves about islam and sharia law. Your very life might depend on this. That is NOT an understatement.

There is no peace within Islam, and with Islam there will never be peace.

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<http://weroinnm.wordpress.com/2010/01/26/what-do-american-citizens-know-about-%e2%80%9csharia-law%e2%80%9d-and-is-it-something-that-we-should-know-more-about/> What do American Citizens Know About "Sharia Law" and Is It Something That We Should Know More About? « A Nation ADrift-Why?

[...] <http://thehayride.com/2010/08/louisiana-at-leading-edge-in-fight-against-shariah/> [...]

Saoirse
get kennedy's 1965 immigration reform repealed, and STOP whatever "groups" petitioning for them via refugee status and solve 2/3rds of this problem. There is no place for any islamic in the USA. Racist ? nope. The Constitution of the United States IS and WILL REMAIN THE LAW of the land. "They" want their laws, courts and sha'ria ? Then they do not enter this nation and those here are free to leave.

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sheikh
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Sandra Fleming

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And did I mention?—Islam and the State are one within their religion. Their whole reason for being here, in a infidel society, is for the goal of world domination.

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<http://actforamerica.wordpress.com/2010/08/23/do-you-believe-you-understand-sharia-law/ Do you believe you understand Sharia Law? | Dangers of Allah>

[...] By Christopher Holton The Hayride Vice President, Center for Security Policy [...]

<http://www.desertconservative.com/2010/08/23/learn-about-sharia-law-it-is-an-abomination-to-the-entire-world/ Learn about Sharia' Law – IT IS AN ABOMINATION TO THE ENTIRE WORLD! at Desert Conservative>

[...] Read the rest, click the link; <http://thehayride.com/2010/08/louisiana-at-leading-edge-in-fight-against-shariah/#more-5392> [...]

<http://concernedamericancitizens.wordpress.com/2010/08/23/do-you-believe-you-understand-sharia-law-i-bet-you-dont/ Do you believe you understand Sharia Law? I bet you Don't | Concerned American Citizens>

[...] fields including finance and war. There is no such thing as a separate secular authority or secular law under doctrinal Shariah, since religion and state are not distinct, but are [...]

<http://www.thepatriotsflag.com/2010/08/sharia-for-dar-es-salaam/ The Patriot's Flag » Shari'a for dar es-salaam>

[...] Louisiana at Leading Edge in Fight against Sharia (08.17.10) <= Good Background info [...]

<http://thehayride.com/2010/09/setting-the-record-straight-on-shariah-jihad-taqiyya-and-the-muslim-brotherhood/ The Hayride » Setting the Record Straight on Shariah, Jihad, Taqiyya and the Muslim Brotherhood>

[...] The subject of my speech was the threat of Jihad, Shariah (Islamic law) and the Muslim Brotherhood in America. Among the topics I discussed was Louisiana's new law designed to protect individual constitutional liberties from the infiltration of foreign legal doctrines, such as Shariah (as I explained in a recent Hayride article). [...]

<http://www.thepatriotsflag.com/2010/09/resistance-to-sharia/ The Patriot's Flag » Resistance to Sharia>

[...] Louisiana at Leading Edge in Fight against Sharia (08.17.10) <= Good Background info [...]

<http://www.usmessageboard.com/law-and-justice-system/136729-the-usa-of-hate-4.html#post2834972 The USA Of Hate – Page 4 – US Message Board – Political Discussion Forum>

[...] [...]

<http://thestaffordvoice.com/2010/11/04/oklahoma-bans-sharia-law/ Oklahoma Bans Sharia Law | The Stafford Voice>

[...] as a pre-emptive strike, Oklahoma now joins Louisiana in blocking Sharia law, a draconian legal doctrine that does not recognize the most basic human rights as measured by any [...]

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[...] as a pre-emptive strike, Oklahoma now joins Louisiana in blocking Sharia law, a draconian legal doctrine that does not recognize the most basic human rights as measured by any [...]

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