WHAT IS THE TRUTH ABOUT AMERICAN MUSLIMS?

QUESTIONS AND ANSWERS

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Interfaith Alliance
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INTRODUCTION

This publication provides answers to some of the frequently asked questions about religious freedom and American Muslims.

From the beginning of our history, religious liberty has been at the heart of the American vision of democratic freedom. Within the civic framework provided by the U.S. Constitution, religion has long played an important role in American public life, without being enforced or controlled by government.

Today, however, as a growing number of religions call America home, new questions are being raised about the place of religion and specific religious groups in American life. For the health of the nation and the good of religion, those questions require answers.

During the past decade, acts of violence by extremists claiming to act in the name of Islam have raised fears and created confusion about Islam. In the United States, some individuals and groups have attempted to conflate all of Islam with extremist violence by disseminating misinformation and distortions about Islam and American Muslims. This has led to a rise in discrimination against American Muslims and those perceived to be Muslims, attacks on American Muslim institutions, and protests against the building of mosques in local communities.

By seeking to provide accurate information about religious freedom and American Muslims, this publication does not ignore or minimize the significant threat posed by extremists who promote and commit acts of violence in the name of Islam. We fully recognize the challenge to peace and justice posed by small factions within Islam who lift up extremist theology and pervert their faith to support their violence. All of the world's major religions have faced similar challenges. But acts of violence by radical individuals and groups must not be used to condemn Islam itself – or to paint all Muslims with the brush of extremism.

Our purpose here is to inform Americans about the vast majority of their fellow citizens who are Muslim. In doing so, we seek to uphold our shared commitment to religious freedom and contribute to a climate of understanding and respect among Americans of all faiths and none.

THE LAW OF RELIGIOUS FREEDOM

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof …

— Religion clauses of the First Amendment to the U.S. Constitution

1. Are all religious individuals and groups protected by the First Amendment to the U.S. Constitution?

Yes. The Religion Clauses of the First Amendment guarantee religious liberty, or freedom of conscience, for all Americans — people of all faiths and none.

The Establishment Clause bars the government from advancing or inhibiting religion and ensures that government remains neutral.

The Free Exercise Clause and supporting laws, like the federal Religious Freedom Restoration Act, protect the right of religious individuals and institutions to follow their conscience in matters of faith.

Under the Free Exercise Clause as currently interpreted by the U.S. Supreme Court, government may not enact laws or regulations that target religious practice without demonstrating a compelling state interest and no less restrictive means of accomplishing that interest. When laws or policies apply to everyone and don't target religious practices, but nonetheless burden those practices, the government is not required to justify such burdens with a compelling interest. The high court has also established that government may choose to afford religious liberty greater protection — an authority that is frequently exercised.

The twin constitutional guarantees of religious freedom for all citizens are good for religion and good for government.

The United States is today the most religiously diverse society in the world. The civic framework of religious freedom defined by the First Amendment enables people of all faiths and none to live together as equal citizens of one nation. Like other First Amendment freedoms, the rights to exercise one's faith and to be free from governmental establishments of religion are fundamental rights that cannot be denied by majority vote or elections.

A majority may not impose its religious values on others, nor limit minority religious rights. The fact that a majority of Americans do not share the beliefs of a minority faith does not make those beliefs and practices any less protected. Unless all Americans are assured of religious freedom, the freedom of all Americans is in question.

2. What are the rights and civic responsibilities of religious citizens?

As a general rule, the government protects the rights of religious people and institutions to practice their faiths openly and freely without governmental interference unless the practice harms others or undermines other compelling societal interests. The government may not, however, compel adherence to, or participation in, the practices of any faith.

Good citizenship includes the civic duty to uphold religious freedom for all. Religious liberty rights are best guarded when each person and group takes responsibility to guard not only their own rights but the rights of others, including those with whom they deeply disagree. This respect for the rights of others is not indifference to theological or moral disagreement, but rather a civic virtue necessary to maintain peace in a religiously diverse society. All faiths are free to proclaim their vision of the truth, but they cannot look

to government for help in doing so by either endorsing their religious truth or suppressing someone else's.

All faiths are a religious minority somewhere in the United States: An attack on the religious freedom of one group today could easily become an attack on another group tomorrow.

3. What is the relationship of American law to religious laws?

Neither federal nor state governments may enforce or interpret religious law. This rule applies to courts, legislatures and administrative agencies — and it is a rule uniformly understood and respected. Courts may not, and do not, apply religious law in deciding contracts disputes, divorce or child custody cases or even in refereeing disputes over control of houses of worship. Even when deciding whether a particular governmental rule violates the free exercise of religion, courts refrain from deciding whether a party before them correctly understands his or her faith. They inquire only whether the claim is advanced sincerely.

4. Can American courts ever substitute religious law for civil law?

No. The Establishment and Free Exercise Clauses of the First Amendment to the U.S. Constitution prohibit American courts or other government agencies from substituting religious law for civil law. This prohibition applies to all religions equally. For example, a court may not say that since the parties belong to a faith that prohibits divorce (or provides for different post–divorce property arrangements than civil law) that religious law will govern the divorce.

5. Can American courts enforce the decisions of religious tribunals?

Yes, as long as the parties voluntarily and knowingly submit the matter to the jurisdiction of a religious tribunal, the tribunal follows certain minimum procedural safeguards, and doing so will not conflict with important public policies (e.g., the policy against awarding custody to a parent guilty of child abuse). Such an agreement — in effect an agreement to arbitrate — cannot require a secular court to decide theological questions (i.e., an agreement cannot require reference to a tribunal appropriately applying Islamic, Jewish, canon law or other religious law because that would require the secular court to decide whether a religious tribunal properly applied religious law).

This is hardly novel law. For decades, American courts have confirmed many of the decisions religious and other nongovernmental tribunals (such as a Jewish Beit Din) make regarding the parties that willingly come before them, always subject to review for violations of important public policies.

Secular courts have, in effect, encouraged religious bodies to refer internal disputes about governance, hiring of clergy and disputes over theology to religious tribunals precisely because courts cannot interpret the religious rules which are frequently at the heart of such disputes.

Jewish and Christian as well as Muslim communities have long had such tribunals in the United States, and individuals and organizations have the freedom to choose to submit their disputes to these religious bodies for resolution. Government courts often, but not always, confirm decisions of these tribunals so long as they adequately respect constitutional boundaries and protect the rights of all parties.

AMERICAN MUSLIMS IN THE UNITED STATES

6. When did Muslims come to America?

The history of American Muslims goes back more than 400 years. Although some evidence suggests that there were Muslims on Columbus' ships, the first clearly documented arrival of Muslims in America occurred in the 17th century with the arrival of slaves from Africa. Scholars estimate that anywhere from a quarter to a third of the enslaved Africans brought to the United States were Muslims. Large numbers of Moriscos (former Muslims of Spain and Portugal) also came to the Spanish colonies, including many areas of what is today the United States. Although enslaved people were denied freedom of religion, many did practice their faith in secret and pass it on to their children. There are several autobiographies of Muslim slaves that survive from this period, including some by individuals who were involved in the Abolitionist movement and were Union soldiers during the Civil War.

The next significant wave of Muslim immigrants began in the mid-19th century. During the late 19th century until the 1920s, large numbers of Arabs, mostly from Lebanon and Greater Syria, arrived in the United States. Although the majority of these immigrants (almost 90%) were Arab Christians, there were sizable clusters of Muslims, most of whom settled in the Midwest. Mohammed Alexander Russell Webb, an early American convert to Islam, established a mosque and mission in New York City in 1893. The first mosque structure built in the United States for the purpose of serving a Muslim community was in Ross, North Dakota (1929) and the oldest surviving mosque is in Cedar Rapids, Iowa (1934).

African-Americans began to rediscover their African Islamic roots after the Great Migration of Blacks from the South to the Northern cities after World Wars I and II. The re-emergence of African-American Islam has been a consistent phenomenon during the twentieth century until the present. Today, African-American Muslims constitute roughly a third of the American Muslim population.

After passage of the Immigration and Nationality Act of 1965, greater numbers of Muslims began migrating to America along with many other immigrants with diverse backgrounds. The change in immigration laws allowed highly-skilled professionals to enter the U.S. Many Muslims who came during this time period were from the Middle East and South Asia (India, Pakistan and Bangladesh).

7. Who are American Muslims today?

America is home to one of the most diverse Muslim populations in the world, including people of almost every ethnicity, country and school of thought. Although they are widely viewed as recent immigrants, the demographics tell a different story. Approximately one third of the community is African-American, one third is of South Asian descent, one quarter is of Arab descent, and the rest are from all over the world, including a growing Latino Muslim population. While exact numbers are difficult to establish, there are between 3-6 million American Muslims. About one half of this population was born in the U.S., a percentage that continues to grow as immigration slows and younger individuals start having families.

Like others, most Muslims who choose to migrate to America arrive seeking economic opportunity and democratic freedom. The best studies available characterize American Muslims today as largely middle-class and an integral part of American society.[1]

American Muslims are present in all walks of life, as doctors and taxi drivers; lawyers and newspaper

vendors; accountants, homemakers, academics, media personalities, athletes and entertainers.

Although American Muslims make up approximately one percent of the U.S. population, most Americans can name several famous American Muslims. Names like Muhammad Ali, Malcolm X, Mos Def, Fareed Zakaria, Shaquille O'Neal, Lupe Fiasco, Dr. Oz and Rima Fakih are part of our popular consciousness. Important business figures like Farooq Kathwari (CEO of Ethan Allen), Malik M. Hasan (a pioneer in the field of HMOs), and Safi Qureshey (a leader in PC component manufacturing) are all American Muslims.

Many American Muslims are also civically engaged, working with their neighbors to better their communities. Well-known American Muslim leaders include Rep. Keith Ellison (DFL-Minn.), the first American Muslim to be elected to the U.S. Congress; Rep. André Carson (D-Ind.); Mohammed Hameeduddin (Mayor, Teaneck, N.J.); and Amer Ahmad (Comptroller, Chicago).

The nation has honored many American Muslims for their service and sacrifice, including, for example, Salman Hamdani, a first responder on 9/11, and Kareem Rashad Sultan Khan, recipient of the Bronze Star and Purple Heart who died while serving in Operation Iraqi Freedom.

8. What is the role of mosques in American Muslim life?

Mosques dot the American landscape and, for observant Muslims, are central to devotional life. A major study of American Muslims in 2008 found that involvement with the mosque and increased religiosity increases civic engagement and support for American democratic values. According to the study, "mosques help Muslims integrate into U.S. society, and in fact have a very productive role in bridging the differences between Muslims and non-Muslims in the United States. This is a finding in social science that is consistent with decades of research on other religious groups such as Jews, Protestants and Catholics where church attendance and religiosity has been proven to result in higher civic engagement and support for core values of the American political system. Likewise, mosques are institutions that should be encouraged to function as centers of social and political integration in America."[2]

9. How do American Muslims participate in American public life?

American Muslims take part in all aspects of American civic life. They are members of the Boy and Girls Scouts, Elks Lodges, Rotary Clubs, Kiwanis Clubs, and Veterans of Foreign Wars as well as members of school boards and volunteers in community centers.

American Muslims have created institutions of their own in the United States, just like other religious communities. There are many long-established groups, such as the Islamic Society of North America (ISNA), an umbrella organization of some 300 mosques and Islamic centers based in Indiana, and newer organizations like the Council for the Advancement of Muslim Professionals.

Many Islamic centers and institutions create programs serving both American Muslim communities and the wider public.

The University Muslim Medical Association, for example, is a free health care clinic in Los Angeles founded in 1992 by American Muslim college students at UCLA and Charles Drew University to serve a diverse inner-city community. The Inner City Muslim Action Network (IMAN) is a community-based non-profit formed in 1995 by American Muslim students, community residents and

leaders to address inner city poverty and abandonment in the greater Chicago area. IMAN delivers a wide range of services, including a health clinic providing free health care and support services to the uninsured population on Chicago's Southwest Side.

Many other American Muslim institutions are actively engaged in charitable giving, educational programs, interfaith outreach, health care, civic engagement, politics and the media. In short, American Muslims and the organizations they create are part of the fabric of American public life.

10. Is Islam a political movement?

No. Islam is a religious tradition, and adherents to Islam are called Muslim. Of course, American Muslims, like Americans from other religious groups, participate in American political life. American Muslim voting patterns generally mirror the broader American population. American Muslims are Republicans, Democrats, Libertarians, liberals and conservatives. There is no one political platform or agenda for those who practice the religion of Islam in the United States.

11. Have American Muslim leaders spoken out against extremist violence?

Yes. Many American Muslim leaders and organizations have repeatedly denounced extremist violence in the strongest possible terms.

Of the many statements and actions taken by American Muslims to condemn and counter terrorism, the fatwa (religious ruling) from the Fiqh Council of North America (an Islamic juristic body) captures the views of the vast majority of American Muslims:

"Islam strictly condemns religious extremism and the use of violence against innocent lives. There is no justification in Islam for extremism or terrorism."

The Fiqh Council of North America's statement affirms the following Islamic principles:

> "[1] All acts of terrorism, including those targeting the life and property of civilians, whether perpetrated by suicidal or any other form of attacks, are haram (forbidden) in Islam.
>
> [2] It is haram (forbidden) for a Muslim to cooperate with any individual or group that is involved in any act of terrorism or prohibited violence.
>
> [3] It is the civic and religious duty of Muslims to undertake full measures to protect the lives of all civilians, and ensure the security and well-being of fellow citizens."

A comprehensive collection of condemnations of terrorism and extremism by American Muslims, including theological arguments, may be found on The American Muslim, a publication that has been providing information about the American Muslim community since 1998. www.theamericanmuslim.org

12. Are American Muslims concerned about extremist violence in the United States?

Yes. Most American Muslims, like most other Americans, are deeply concerned about the problem of extremist violence committed in the name of Islam. According to the most reliable data we have, the overwhelming majority of American Muslims is well integrated into American society and reports criminal activity. Over the past decade,

40% of domestic terrorism plots have been uncovered or deterred with assistance from American Muslims.[3]

13. Do American Muslim leaders support freedom of expression and religious liberty?

Yes. Many American Muslim leaders, educational institutions and advocacy groups have repeatedly spoken out for freedom of expression and are actively involved in promoting religious liberty for all people both in the United States and abroad.

A recent statement signed by some 200 American and Canadian Muslim leaders unconditionally condemned "any intimidation or threats of violence directed against any individual or group exercising the rights of freedom of religion and speech; even when that speech may be perceived as hurtful or reprehensible."

The statement directly addresses recent controversies in the United States:

"We are concerned and saddened by the recent wave of vitriolic anti-Muslim and anti-Islamic sentiment that is being expressed across our nation. We are even more concerned and saddened by threats that have been made against individual writers, cartoonists, and others by a minority of Muslims. We see these as a greater offense against Islam than any cartoon, Qur'an burning, or other speech could ever be deemed."[4]

MISUNDERSTOOD TERMS AND PRACTICES

14. What does "jihad" mean? Isn't it a "holy war"?

"Jihad" literally means striving, or doing one's utmost. Within Islam, there are two basic theological understandings of the word: The "Greater Jihad" is the struggle against the lower self – the struggle to purify one's heart, do good, avoid evil and make oneself a better person. The "Lesser Jihad" is an outward struggle. Jihad constitutes a moral principle to struggle against any obstacle that stands in the way of the good. Bearing, delivering and raising a child, for example, is an example of outward jihad, because of the many obstacles that must be overcome to deliver and raise the child successfully. Jihad may also involve fighting against oppressors and aggressors who commit injustice. It is not "holy war" in the way a crusade would be considered a holy war, and while Islam allows and even encourages proselytizing, it forbids forced conversion. In Islamic tradition, the form of jihad that involves fighting requires specific ethical conditions under which it is permissible to fight, as well as clear rules of engagement such as the requirement to protect non-combatants. Scholars have compared Jihad that involves fighting to the Christian concept of "just war."

The variety of interpretations of Lesser Jihad, or just war, over 1400 years in many settings is a complex discussion.

Much of the contemporary misuse of the term "jihad" may be dated to the Soviet invasion of Afghanistan, when stateless actors began to claim the right to declare jihad. In Islamic tradition, there is no theological or political basis for this claim. Radical and extremist groups appropriate and misuse the term "jihad" to give a religious veneer to their violent political movements and tactics.

15. Does the Qur'an require women to be covered?

The Qur'an requires men and women to dress modestly, but without specifying exactly what that means (24:30-31). Muslims therefore differ on what modesty requires, resulting in a variety of practices in different cultures and countries.

Historically, male dominance in Muslim societies has led to unequal application of modestly rules, with women in some cultures being made to cover much more of their bodies then men are required to do. At the same time, it must be said that many Muslim women in the United States and other countries freely choose to veil as an expression of their faith.

16. Are Muslim men allowed to marry four wives?

While the Qur'an sanctions marriage to up to four wives (Q.4:3), the wording of the verse is understood by some Muslim scholars to allow but at the same time discourage marrying more than one wife. Verse 4:3 says that a Muslim man may marry up to four wives if he can treat them equally. Since men cannot treat any two people equally, the practice which was historically acceptable during times of crisis, like war, is now even outlawed in some Muslim majority nations.

17. Does Islam sanction "honor killings"?

No. According to Islamic teachings, no Muslim may sanction or support murder; the Qur'an explicitly forbids such actions (16:59, 5:27-32). In fact, the Qur'an does not mention "honor killings," and in Islamic teachings, there is no such thing as excusable murder. The term "honor killings" used in some cultures is an attempt to describe murder as something religiously acceptable. It is not religiously acceptable in Islam.

18. What is Taqiyya? Does Islam encourage American Muslims to deceive and lie?

Taqiyya is an Arabic word that means to hide your faith in times of persecution in order to protect your life and family. It does not allow one to deceive and lie. Muslims are allowed to practice Taqiyya when open declaration of their faith leads to death and torture.

A similar teaching can be found in Judaism: Maimonides, one of the great Jewish Torah scholars, taught that one is allowed to lie about one's religion in order to save one's life, and many Jews who were forcibly baptized in medieval Christian Europe engaged in the same kind of practice to protect their lives and remain committed to their faith. Given the very restricted contexts in which such behavior is allowed in both religions, it would be wrong to accuse Islam or Judaism of actively encouraging believers to deceive others.

Islam commands all Muslims to speak the truth and conduct themselves honestly in personal, political and professional relationships. In the Qur'an, God commands Muslims: "And do not mix the truth with falsehood, nor conceal the truth while you know [what it is] (2:42)."

SHARIA

19. What is Sharia?

Sharia stands for Islamic or sacred law. It is an Arabic word meaning "the way" or "the path to water." For centuries, Muslim scholars have given a broad definition of Sharia reflecting the diversity of interpretations on how Muslims have attempted to best understand and practice their faith.

The general definition of Sharia as understood by most American Muslims is as follows:

Sharia represents how practicing Muslims can best lead their daily lives in accordance with God's divine guidance. It may be generally defined as the Islamic law revealed by God to the Prophet Muhammad. That divine law was then interpreted by Muslim scholars over the centuries. Among the primary aims of the Sharia are the achievement of justice, fairness and mercy.

The five major goals of the Sharia are the protection of sound religious practice, life, sanity, the family, and personal and communal wealth. The acknowledgement of sound local customs throughout the world is one of the five basic maxims of the Sharia according to all Islamic schools of law.

Sharia is overwhelmingly concerned with personal religious observance such as prayer and fasting. Just as many observant Jews follow Halakha, many observant Muslims follow some aspect of Sharia.

Currently, 35 countries incorporate Sharia into their civil, common or customary law. The diverse manner in which these countries apply Sharia to daily life highlights how Sharia is neither static nor rigid but instead a reflection on how different communities interpret it.[5]

20. What are the sources for Sharia?

Within Islam, there are four principle sources of Sharia, which are accepted by consensus. They are (1) the Qur'an, Islamic sacred scripture, which Muslims believe God revealed to humanity through the Prophet Muhammad, (2) the Sunna (or Prophetic model of behavior recorded in a literature called the Hadith), (3) the consensus of religious scholars, and (4) analogy. Many regional and local customs are also accepted as a source of the Sharia when they are consistent with the general good. Thus, the Sharia mandates that Muslims follow the good and generally wholesome customs of the lands in which they live.

The revealed and other sources of the Sharia require interpretation for the creation of substantive law. The process of legal interpretation is called "fiqh," which means understanding. It requires trained scholars and is similar to the roles of religious scholars in working out the details of Rabbinical law in Judaism. Islam has a number of valid traditional schools of law, each of which constitutes a distinctive methodology in deriving the law from its sources and applying it to concrete situations. Each school offers a vast body of rulings and opinions. Islamic law is one of the richest sources of Islamic civilization through the ages and must be applied appropriately to new times and places.

21. Is Sharia open to interpretation?

Yes. Within Islam, certain interpretations and applications of Sharia have changed over time and continue to change today. There is no one interpretation called "Sharia." A variety of Muslim communities exist around the world, and each understands Sharia in its own context. No single official document encapsulates Sharia.

Since interpretation is a human process, it has always been pluralistic, prone to error and dependent on human understanding, no matter the religion in question. Interpretation is also subject to conditions and times specific to a particular community of believers. Interpretations may vary significantly from country to country and community to community. This explains the great variety of ways Muslims have practiced their faith all over the world for the past 1400 years.

Any theological or moral system is vulnerable to misuse by extremists to promote violence. For that reason, it is important to be familiar with the history of a religious tradition and understand the widely-shared interpretation of its beliefs and practices.

22. Is Sharia compatible with American law and values?

Many aspects of Sharia or Islamic law are consistent with modern legal rules found in American law. For example,

both legal systems allow rights to personal property, mutual consent to contracts, the presumption of innocence in criminal proceedings, and the right of women to initiate divorce proceedings.

If and when religious laws conflict with American law, the Free Exercise and Establishment Clauses of the First Amendment prohibit American government, including the courts, from substituting religious laws for civil law or following religious laws that violate civil law. This prohibition applies to all religions equally.

23. Do all Muslim countries adhering to Sharia engage in stoning and amputations as punishment for crimes?

No. These penalties are not allowed in 52 countries that make up the 57-nation Organization of Islamic Cooperation, encompassing most countries with a Muslim-identified government. Indonesia, the most populous Muslim majority country, along with Egypt, Turkey, and Morocco all use Sharia as a primary source of law and none allow these punishments.

In countries where extreme interpretations of Sharia are applied, like Iran, Saudi Arabia, Sudan, Somalia and 12 states in northern Nigeria, stoning and amputations for adultery and theft are rarely used or enforced.

24. How do American Muslims follow Sharia?

Many American Muslims, like other religious communities who rely on scriptures and religious principles to guide their life, look upon Sharia as a personal system of morality and identity. The vast majority of American Muslims see no conflict between their religious obligations and values and the U.S. legal system.

American Muslims are part of one of the most diverse religious groups in the U.S. in terms of ethnicity, socio-economic status, education levels and political affiliation. For some, adherence to Sharia means keeping some or all of the religious observances, such as prayer, fasting or charitable giving. For others, Sharia also affects religious practices and rituals concerning personal matters, such as marriage, divorce, dress, inheritance, business transactions and property.[6]

25. Do American Muslims want to replace the U.S. Constitution with Sharia?

No. American Muslims overwhelmingly support the U.S. Constitution and do not seek to replace it with Sharia or Islamic law. The vast majority of American Muslims understand Sharia as a personal, religious obligation governing the practice of their faith, not as something American governments should enforce.

26. Is taking into account Muslim practices in U.S. courts an example of what some are calling "creeping Sharia" in the American legal system? How do you explain U.S. courts interpreting contracts based on Sharia law?

Sharia is not creeping into the U.S. court system. There are three types of cases that may require a court to even take notice of Sharia law:

- The first is a case in which a party alleges that some government practice interfered with the ability to practice his or her faith as required by Sharia law. Such a Free Exercise claim is identical to claims that government practice violates Jewish law, canon law or other religious laws. Courts decide only whether the claim is sincere and whether the government action violates the person's rights.

- The second is an arbitration agreement providing for arbitration under Sharia law. These can be enforced by courts if voluntary and not in violation of public policy.

- The third, and least common case, is one in which a foreign country's law governs a dispute (e.g., an accident that occurred abroad) and the country's law includes Sharia law. In general, the same rules apply: American courts will not interpret religious law and will not apply foreign law in violation of basic public policies. The rules are no different for Islamic law than for canon law, Halakha (Jewish law) or other religious laws.

See also answers to questions 3-5.

27. How would state laws barring any consideration of Sharia or other religious laws in courts affect American Muslims and other religious groups?

More than two dozen state legislatures are currently considering or have enacted laws intended to bar state courts from considering foreign and/or religious laws. From statements by advocates of these laws, it would appear that the real target of such legislation is Sharia law, although most are now written to encompass religious law of other faiths, and "foreign" law.

Where enacted, these bills will infringe upon the long-settled and, for faiths other than Islam, non-controversial practices described above of allowing parties to voluntarily submit their disputes to religious tribunals.

Prohibiting courts from considering religious laws would hamstring all religious communities in a variety of ways. Many civil corporate documents, especially for churches, synagogues and other houses of worship, reference canon law, a book of order or discipline, church manual, or other source of law that explains the powers and limitations of administrators. How can a title company know, for example, if a religious leader signing a deed for a congregation has the authority to do so without looking at the rules and bylaws of the corporation (which for religious corporations will be religious rules or laws)? Many religious communities have alternative dispute resolution provisions in their governing documents, which have spared the courts much expense and time in civil litigation. Would these be unenforceable if courts cannot consider religious laws?

There simply is no evidence that Sharia (or other religious law) is being substituted for U.S. law in American courts. The First Amendment clearly bars government imposition of any religious law. At the same time, the First Amendment protects the right of religious groups to observe their laws in matters of faith.

Legislation barring any consideration of "foreign law" or "religious law" in the courts has the effect of potentially marginalizing and discriminating against all religious communities in America who have practiced their religious beliefs and customs peacefully for centuries thanks to the pluralistic and inclusive nature of the U.S. Constitution, which affords such freedoms and rights to all American citizens.

CONCLUSION

Throughout American history, people of many faiths have come to these shores seeking religious freedom. Despite periodic outbreaks of nativism, anti-Semitism, and other forms of religious intolerance, America has been home to history's boldest and most successful experiment in religious liberty. Faith communities have thrived in this land

without threatening the rights and freedoms of citizens of other religions or no religion.

More than 200 years after the ratification of the First Amendment, Americans still hold fast to the principles of religious freedom. Nearly 9 in 10 Americans agree that the United States was founded on the idea of religious freedom for everyone, including the smallest minorities or least popular communities.[7]

Today our commitment to religious freedom is tested once again as American Muslims and their institutions increasingly come under attack by those who raise unfounded fears and create confusion about Muslims – or, in some cases, use the violent extremism of a faction as an opportunity to demonize an entire faith.

We urge all Americans of goodwill to join us in combating ignorance and fear with knowledge and compassion. Religious freedom cannot be sustained by laws and courts alone – as important as they are. Full religious freedom depends on the courage and commitment of ordinary citizens to stand up for the rights of their fellow citizens.

In the words of the Williamsburg Charter (1988), all Americans should "affirm that a right for one is a right for another and a responsibility for all. A right for a Protestant is a right for an Orthodox is a right for a Catholic is a right for a Jew is a right for a Humanist is a right for a Mormon is a right for a Muslim is a right for a Buddhist – and for the followers of any other faith within the wide bounds of the republic." The same guarantee prevails for people with no religion.[8]

We commit ourselves to speak, write and act according to this vision of mutual respect and religious liberty. We further commitment ourselves to disseminate this document widely in an effort to combat misunderstanding and false information about American Muslims. We urge our fellow citizens to do the same.

RESOURCES FOR LEARNING MORE ABOUT AMERICAN MUSLIMS

The following organizations provide educational publications and presentations that may be used by faith communities, schools, colleges, community groups and others for deepening understanding among people of different faiths, upholding religious freedom, and promoting respect for the rights of others.

Unity Productions Foundation
The mission of Unity Productions Foundation (UPF) is to create peace through the media. A nonprofit organization founded in 1999, UPF produces documentary films for television broadcast, online viewing and theatrical release, and implements long-term educational campaigns aimed at increasing understanding between people of different faiths and cultures, especially between Muslims and other faiths. (www.upf.tv) UPF also sponsors "My Fellow American," featuring stories of American Muslims and their contributions to American society. (www.myfellowamerican.us)

Institute for Social Policy and Understanding
ISPU is an independent, nonpartisan think tank and research organization committed to conducting objective, empirical research and offering expert policy analysis on some of the most pressing issues facing the United States. These issues include U.S. foreign policy, national security, the economy and public health. In addition, ISPU has assembled leading experts across multiple disciplines and built a solid reputation as a trusted source for information about American Muslims and Muslim communities around the world. (www.ispu.org)

Islamic Networks Group

Islamic Networks Group (ING) is a non-profit organization whose mission is to counter prejudice and discrimination against American Muslims by teaching about their traditions and contributions in the context of America's history and cultural diversity, while building relations between American Muslims and other groups. Founded in 1993, ING achieves its mission through education and community engagement. ING works through regional volunteers and affiliated organizations across the country to provide thousands of presentations, training seminars and workshops, and panel discussions annually in schools, colleges and universities, law enforcement agencies, corporations, healthcare facilities, and community organizations as part of cultural diversity curricula and programs. (www.ing.org)

The Islam Project

The Islam Project is a multimedia effort aimed at schools, communities and individuals who want a clearer understanding of this religion: complex, diverse, historically and spiritually rich, and – for many – mysterious and even forbidding. While there is no shortage of classroom materials on Islam, surveys of teachers suggest that there are few resources that penetrate the monolithic concept of Islam to present the extraordinary diversity found in the world's Muslim communities – diversity that is cultural, political, ideological and even religious. Equally important, there seem to be few resources designed to help teachers answer students' questions, in the present political environment, about the nature of Islam and its role in the world in which they live. And finally, teachers need materials to increase student sensitivity to, and understanding of, Islam as it is woven through America's rich multicultural fabric. The Islam Project is conceived in part in the belief that accurate information, representing a spectrum of perspectives, is the most effective antidote to fear and misunderstanding. (www.islamproject.org)

ENDNOTES

1 The Pew Forum on Religion and Public Life has undertaken two major studies of American Muslims in 2007 and 2011. See the following for a summary of these studies: http://www.people-press.org/2011/08/30/muslim-americans-no-signs-of-growth-in-alienation-or-support-for-extremism/

2 The full study may be found at www.muslimamericansurvey.org.

3 For a series of studies on extremist violence and the role of the American Muslim community in addressing the problem, see the publications of the Triangle Center on Terrorism and Homeland Security (http://sanford.duke.edu/centers/tcths/). The Gallup study of American Muslims may be found at http://www.abudhabigallupcenter.com/148778/REPORT-BILINGUAL-Muslim-Americans-Faith-Freedom-Future.aspx.

4 The full text of "A Defense of Free Speech by Canadian and American Muslims" may be found at www.theamericanmuslim.org.

5 CQ Researcher Sharia Controversy by Sarah Glazer, available at www.cqpress.com.

6 For a discussion of American Muslims and Sharia law, see: "Shari'a Law: Coming to a Courthouse Near You?: How Muslim Americans Understand and Use Shari'a in Marriage and Divorce" by Dr. Julie Macfarlane. See also, "Understanding Sharia in the American Context" by Asifa Quraishi and other publications from the Institute for Social Policy and Understanding (www.ispu.org).

7 Public Religion Research Institute, Pluralism, Immigration, and Civic Integration Survey (August 2011).

8 The Williamsburg Charter is a reaffirmation of religious liberty signed by more than 200 American leaders and presented to the nation on June 25, 1988, the 200th anniversary of Virginia's call for the Bill of Rights.

RELIGIOUS FREEDOM EDUCATION PROJECT

Religious Education Freedom Project of the First Amendment Center educates the public about the vital importance of religious freedom through events, educational programs and outreach. The project is an initiative of the First Amendment Center, a program of the Freedom Forum, and affiliated with the Newseum. The First Amendment Center's nonpartisan work supports the First Amendment and builds understanding of its core freedoms through education, information and entertainment. The center does not lobby or litigate. **religiousfreedomeducation.org**

INTERFAITH
ALLIANCE
PROTECTING FAITH AND FREEDOM

Interfaith Alliance celebrates religious freedom by championing individual rights, promoting policies that protect both religion and democracy and uniting diverse voices to challenge extremism and build common ground. Equally committed to protecting the integrity of both religion and democracy in America, Interfaith Alliance has members across the country who belong to 75 faith traditions as well as those of no faith tradition. **interfaithalliance.org**

Organized and produced by:

Interfaith Alliance
Religious Freedom Education Project
of the First Amendment Center

The following organizations endorse the religious freedom principles articulated in this document and support the effort to provide accurate information about American Muslims and Islam that reflects the widely-shared views of these topics among American Muslims:

African American Ministers Leadership Council
Christian Church (Disciples of Christ)
Foundation for Ethnic Understanding
Institute for Social Policy and Understanding
Islamic Networks Group
Islamic Society of North America
Muslim Public Affairs Council
National Religious Campaign Against Torture
New Evangelical Partnership for the Common Good
People for the American Way Foundation
Presbyterian Church (U.S.A.)
Queens Federation of Churches
Rabbis for Human Rights-North America
Secular Coalition for America
Sikh American Legal Defense and Education Fund
Sikh Coalition
Sojourners
Southern Poverty Law Center
Unitarian Universalist Association of Congregations
United Church of Christ
United Methodist Church, General Board
of Church and Society

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