

***Turning insult into opportunity: Anti-Shari‘ah sentiments in America  
and their implications for American Muslims***

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By many measures, Muslims in the U.S. are “thriving,” “satisfied,” and “optimistic,” according to the August 2011 Gallop report entitled: *Muslim Americans: Faith, Freedom, and the Future: Examining U.S. Muslims’ Political, Social, and Spiritual Engagement 10 Years After September 11*.<sup>1</sup> According to the same report, American Muslims top the list of faith groups, along with American Mormons, in tolerance and appreciation for religious pluralism<sup>2</sup>. “They [Muslims] are the most open of faith groups to inter-religious diversity,” the report says<sup>3</sup>. Despite these results, there is bleaker news; 40% of American Muslim women surveyed, and 32% of Muslim men, report feeling disrespected by other faiths<sup>4</sup>; nearly half of those surveyed reported experiencing racial or religious discrimination in the past year, significantly more than any other major American faith group surveyed<sup>5</sup>. In depth studies on the matter have led the Gallop authors to suggest that the U.S. State Department expand its report on Anti-Semitism to Islamophobia by tracking reports of discrimination against American Muslims in a similar manner as reports are tracked against American Jews<sup>6</sup>. Among other measures, the report recommends that civil society leaders seek to expand resources for quality journalism and enhanced educational programs focusing on Islam and Muslim societies, as well as strive to increase opportunities for cooperative service initiatives across religious communities, primarily

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<sup>1</sup> *Muslim Americans: Faith, Freedom, and the Future: Examining U.S. Muslims’ Political, Social, and Spiritual Engagement 10 Years After September 11*, p. 5

<sup>2</sup> Ibid, p. 7.

<sup>3</sup> Ibid, p. 34.

<sup>4</sup> Ibid, p. 41.

<sup>5</sup> Ibid, p. 40.

<sup>6</sup> Ibid, p. 53.

as a trust-building endeavor<sup>7</sup>. These initiatives would help, the authors of the report argue, to bridge the knowledge gap about Islam and Muslims, to contribute to fostering a “well-informed citizenry,” and to ultimately strengthen the “health of democracy”<sup>8</sup>. In short: “Treat Muslim religious identity and Muslim-American identity as mutually reinforcing, not competing, concepts,”<sup>9</sup> recommends the report.

A September 2011 resolution of the Fiqh Council of North America, a body of esteemed American Muslim religious scholars, takes just this stance. In their statement entitled: “On Being Faithful Muslims and Loyal Americans,” the members of the council strongly affirm that Islamic values and modern, Western, secular, democratic values both seek to uphold “universal moral values which are accepted by the majority of people of all backgrounds” and argue that: “no inherent conflict [exists] between the normative values of Islam and the U.S. Constitution and Bill of Rights.” Furthermore, to suggest that there is a conflict between being loyal American citizens and being faithful Muslims is “misleading,” suggests the resolution. In their resolution, the members of the council condemn “hate mongering and fear propaganda” as counter to both religious and American values.

An August 2011 report issued entitled “Fear, Inc.: The Roots of the Islamophobia Network in America” published by the think-tank Center for American Progress documents how the effort to spread misinformation about Islam and Muslims is well funded and is well connected to specific political elites who use anti-Islam and anti-Muslim positions as key elements of their election platforms. The report also argues at length that this network of foundations and individuals is having a marked effect on American media and politics,

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<sup>7</sup> Ibid, p. 56.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

propelling misinformed press coverage and huge spikes in the number of Americans who hold unfavorable views of Islam and Muslims. The push, by some, for anti-Shari‘ah legislation, and the successes in passing this legislation, is unfortunately just the most recent manifestation of a more deeply engrained campaign to invoke suspicions, divisiveness, and hate.

In a September 2<sup>nd</sup> New York Times editorial discussing the wave of anti-Shari‘ah legislation, Eliyahu Stern writes: “the crusade against Shari‘ah undermines American democracy, ignores our country’s successful history of religious tolerance and assimilation, and creates a dangerous divide between America and its fastest-growing religious minority.” Stern, a scholar of modern Jewish history at Yale University, sees hostility toward Islamic law on the part of some parties in America as disturbingly reminiscent of the views and discourses of 19<sup>th</sup> century political and intellectual elites in Europe toward Jewish religious law and the political integration of Jews. Rather than pushing for anti-Shari‘ah legislation, Stern calls for “an Abrahamic ethic that welcomes Islam into the religious tapestry of American life”; from her perspective as a historian, she argues that Muslims in America, “like all other religious minorities before them, will adjust their legal and theological traditions, if necessary, to accord with American values.”

Indeed, Stern’s remarks drive to the core of a common misperception of Shari‘ah—that it is somehow stagnant, inflexible, and an antipode of American values. These erroneous conceptions are the subject of 2008 remarks at UC Berkely School of Law entitled: “Who says *Shari’a* Demands the Stoning of Women” by the Harvard-trained professor of law and Islamic legal specialist, Asifa Quraishi. In her remarks, Quraishi highlights the pluralistic and evolving bounds of religious law within the Islamic tradition, a legal tradition which cannot be encapsulated by a simplistic set of dogma rules. Quraishi points out that Muslim scholars, who

initially articulated the theoretical foundations of Islamic law approximately a millennium ago, embraced diversity of thought; in general, “no one was empowered to declare ‘the Islamic law’ on any one question,” she explains. Furthermore, laws as articulated by Muslim authorities were constantly evolving throughout history on the basis of factors such as public interest and changing social circumstances. Hence, assertions that Shari‘ah is singular and uniform are not only off-base, but actually serve to ratchet up tensions and hostilities based on ignorance<sup>10</sup>. Quraishi ends her remarks by calling for more dialogue and enhanced understanding in order to avoid “reductionist descriptions” of Muslim religious law and instead focus on “creative problem-solving”<sup>11</sup>.

As an instructor of courses in introductory Islam at the collegiate level in a small, Catholic, liberal arts college, I regularly observe the vast strides that simple dialogue and basic education make in dispelling fear, generating productive conversations, and remedying the general dearth of religious literacy and lacuna of understanding about Islam and religious law. Individuals of faith commitment, and the moral and ethical perspectives which are derived from these commitments, are a tremendous asset to public, democratic, and national political discourses. Individuals and organizations committed to fostering America’s religious diversity can be (once again) reminded of the necessity—and indeed urgency—of working to safeguard this asset. American Muslims themselves will no doubt rise to the occasion, continuing grassroots and national efforts to educate about the cultures, traditions, and beliefs of Muslims. In doing so, they will nurture values such as peace, patience, learning, compassion, cooperation,

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<sup>10</sup> Quraishi, Asifa, Who Says Shari'a Demands the Stoning of Women? A Description of Islamic Law and Constitutionalism. *Berkeley Journal of Middle Eastern & Islamic Law*, Vol. 1, p. 177, 2008.

<sup>11</sup> Ibid.

and the elevation of human dignity, values that the Islamic religion so highly extols, and values that indeed form the very basis of the faith.

### **References:**

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