



Securing Religious Liberty

A Muslim community handbook for opposing legislation that restricts religious freedom and threatens the U.S. Constitution.

February 2012

"The foundation of the Shariah is wisdom and the safeguarding of people's interests in this world and the next. In its entirety it is justice, mercy and wisdom. Every rule which transforms justice to tyranny, mercy to its opposite, the good to the evil, and wisdom to triviality does not belong to the Shariah . . ."

-Ibn al-Qayyim al-Jawziyyah

Council on American-Islamic Relations
453 New Jersey Ave., SE
Washington, DC 20003
www.cair.com

© Council on American-Islamic Relations

Corey P. Saylor
Director
Islamophobia Watch Department
453 New Jersey Ave., SE
Washington, DC 20003
Phone: 202-488-8787
E-mail: csaylor@cair.com

Gadier Abbas (CAIR-National), Edgar Hopida (CAIR-San Diego), Dawud Walid (CAIR-MI) and Muneer Awad (CAIR-OK) contributed text to this toolkit.

CAIR is America's largest Muslim civil liberties and advocacy organization. Its mission is to enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding.

Become a Fan of CAIR on Facebook

<http://www.facebook.com/CAIRNational>

Subscribe to CAIR's E-Mail List

<http://tinyurl.com/cairsubscribe>

Subscribe to CAIR's Twitter Feed

<http://twitter.com/cairnational>

Subscribe to CAIR's YouTube Channel

<http://www.youtube.com/cairtv>

Securing Religious Liberty Campaign Handbook

- The challenge and the issue pg. 4
- Using this handbook pg. 5
- Legal impact of anti-Muslim legislation pg. 8
- What worked: lessons learned from Oklahoma, Tennessee and Michigan pg. 9
- Understanding the Legislative Process pg. 11
- Media tools pg. 14
- Legal tools pg. 16
- What Sharia is and is not pg. 18
- Talking points pg. 20

APPENDIXES

Appendix A: Useful resources	pg. 23
Appendix B: David Yerushalmi, author of American Laws for American Courts	pg. 25
Appendix C: Interview planning sheet	pg. 27
Appendix D: Faith in our state and laws resolution	pg. 28
Appendix E: Sample media advisory	pg. 29
Appendix F: Sample press release	pg. 32
Appendix G: Sample action alert	pg. 35
Appendix H: Sample elected official meeting request	pg. 37

CAIR EXPERTS

Need Help? CAIR staff has legal and advocacy experience with this subject and available for consultation and assistance with your campaign.

- Gadier Abbas (CAIR-National), phone: 202-488-8787, e-mail: gabbas@cair.com
 - Abbas specializes in legal and advocacy strategies for preserving religious liberty.
- Corey Saylor (CAIR-National), phone: 202-488-8787, e-mail: csaylor@cair.com
 - Saylor specializes in Islamophobia in America and advocacy strategies for preserving religious liberty.

The challenge and the issue

"Like other faith communities in the US and elsewhere, we see no inherent conflict between the normative values of Islam and the US Constitution and Bill of Rights."

–Fiqh Council of North America, 10/05/2011

The American Muslim community's challenge is to prevent agenda-driven anti-Islam legislation from undermining America's ideals of free religious expression and to minimize government intrusion into personal religious affairs. If today's fear mongers succeed in "protecting liberty" by stripping it from Muslims, then the next community targeted by fear mongers will have a much harder time defending itself. In preventing this erosion of American ideals, Muslims are in fact living the two core goals of Sharia: to be a benefit to humanity and to prevent harm to humanity.

The emergence of Sharia as an issue of national debate is no accident. Anti-Muslim activists and organizations have methodically set out to use the term "Sharia"¹ to suggest that American Muslims are a foreign group who seek to undermine American law and ultimately replace it with Sharia. Using this term shields anti-Muslim activists from charges of bigotry, since they claim to not target "Islam" but instead "Sharia." Such semantics merely serve as cover for anti-Muslim bias.

In November 2010, Oklahoma voters overwhelmingly approved the "Save Our State" amendment (SQ 755), which banned their state courts from considering or using either international law or Sharia. The ballot language explicitly stated "Sharia is Islamic law. It is based on two principal sources, the Koran and the teaching of Mohammed." A legal challenge filed by Muneer Awad, executive director of CAIR-Oklahoma, has the law on hold after a Federal judge ruled that Awad made a strong showing that the law may violate the First Amendment's Free Exercise clause.

In 2011, many state legislatures considered similar bills, most of which were modeled on the American Public Policy Alliance's sample "American Laws for American Courts" legislation drafted by anti-Muslim lawyer, David Yerushalmi.

In Tennessee, the bill's definition of "Sharia" was, in practical terms, the entire religious tradition of Islam. "Sharia," read the bill as introduced, includes the "set of rules, precepts, instructions, or edicts" based upon sources from "the god of Allah or the prophet Mohammed."² It stated that "Sharia" encompasses all content derived from "any of the authoritative schools of Islamic jurisprudence of Hanafi, Maliki, Shafi'i, Hanbali, Ja'afariya, or Salafi."³ A well-organized interfaith coalition, in which CAIR participated, managed to get significant revisions to what was finally passed into law so that it no longer threatened free religious expression.

In Pennsylvania, the bill itself included no mention of Islam. However, in a memo to all House members urging them to co-sponsor the bill, Rep. RoseMarie Swanger falsely claimed that Sharia is "inherently hostile to our constitutional liberties."⁴ Later, Swanger claimed she "had no

¹ Calling Sharia "law" is inaccurate. Sharia is a way of life that informs how Muslims pray, eat and defines their obligations to the greater society.

² 39-13-904(1) [p.4]

³ 39-13-904 (1) [p.4-5]

idea how [the memo] was going to be written” and that it was never circulated. Swanger also claimed that it was leaked by “someone who is not my friend.”ⁱⁱ This claim is rather incredible, given that the memo, with Swanger’s signature, is on the Pennsylvania state legislature’s website.

While most of these bills failed, many right-wing politicians found that the anti-Sharia issue draws attention to them, taps into public fear, and distracts from serious issues such as the economy and jobs.

CAIR anticipates that as the 2012 legislative and election seasons get into full swing, this legislative proposal will again become popular with elected officials looking to score political points.

CAIR has taken legal action, organized rallies and press conferences, and call for media scrutiny of the purveyors of these anti-Muslim bills. But every Muslim community in each state must take a stand for themselves. It is our obligation as Muslims to stand up against this injustice that threatens our nation, our faith, and our community.

Using this handbook

CAIR strongly recommends you read the entire handbook before starting your campaign.

Your efforts to secure liberty in your state fall into several broad categories: coalition building, executive, general⁴, legal, legislative, media, and Muslim community. Where possible, assign responsibilities of different categories to different individuals.

Note: If the anti-Muslim language is going to be placed on the general ballot, or is already on the ballot for a public vote, please contact CAIR using the information on page 2.

Checklists

1. Pro-active Measures

- a. ___ Coalition: Outreach to other groups. Be present and assist them with their issues.
- b. ___ Legislative: Outreach to friendly state legislators.
- c. ___ Legislative: Identify members of the appropriate House and Senate subcommittees.
- d. ___ Legislative: Work for introduction and passage of the “Faith in Our State and Laws” resolution.
- e. ___ Media: Develop a list of media contacts.
- f. ___ Muslim community: Outreach to those who speak from the *minbar*. Ask them to give *khutbah* on what Sharia is and is not.
- g. ___ Muslim community: Host panel discussions on what Sharia is and is not.
- h. ___ Muslim community: Host a civic participation training and a media relations training.

2. Once a Bill is Introduced

- a. ___ General: Review the bill for similarities to the American Laws for American Courts Bill.
- b. ___ Governor: Ask to Meet with the Governor.
- c. ___ Legal: Have a lawyer identify how the bill could be legally challenged and who could be a plaintiff.
- d. ___ Legal: Talk to coalition and Muslim community partners to explain the need, process and rationale for a possible lawsuit.
- e. ___ Legislative: Find out who introduced the bill and what groups supported its introduction. Research these individuals and groups.
- f. ___ Legislative: Ask a friendly legislator to host a “Religious Law Briefing: Religious Laws in the U.S. Legal System” panel discussion on religious and international law and its use in America.
- g. ___ Legislative: Issue an action alert
- h. ___ Media⁵: Hold a press conference to express your opposition to the bill.
- i. ___ Media: Meet with editorial boards.

⁴ General items are those which do not fall into the other categories.

⁵ See the section on lessons learned from Oklahoma, Tennessee and Michigan. In each state there are important considerations related to balancing the benefits of public exposure against the possibility that media coverage will energize the Islamophobia movement. The goal is to protect religious liberty and sometimes behind the scenes efforts are the best path to this goal.

- j. ___ Muslim community and coalition: Work with leaders to organize visits to legislators to oppose the bill, support the resolution.
 - k. ___ Muslim community: Work with leaders to have community members contact legislators to oppose the bill, support the resolution.
3. Once a Bill is Passed
 - a. ___ Coalition and Muslim community: Issue an action alert urging the Governor to veto the bill.
 4. Once the Resolution is Passed
 - a. ___ General: Develop a list of all those who helped preserve religious liberty in your state. Write thank you letters.
 5. Once a Bill is Signed into Law
 - a. ___ Legal: File your lawsuit.
 - b. ___ Media: Hold a press conference to announce your suit.
 6. Once a Bill is Defeated
 - a. ___ General: Develop a list of all those who helped preserve religious liberty in your state. Write thank you letters.
 - b. ___ Issue a press release welcoming the bill's defeat.

Legal impact of anti-Muslim legislation

American Muslim reflections on Islamophobia, as manifested by efforts to pass laws that target Sharia, in the United States occur in full recognition that virtually every minority in our nation has faced and in most cases continues to face discrimination. In his Pulitzer Prize-winning book, *Battle Cry of Freedom: The Civil War Era*ⁱⁱⁱ, James McPherson reports on English Protestant Americans' suspicion of German and Irish Catholic immigrants to the U.S. in the nineteenth century. Americans of the Jewish faith have been subjected to vile stereotypes and other abuse. During the 2012 election cycle we see Mormonism being attacked.

One might be forgiven for asking why an American Muslim should be opposed to bills that purport to ban Sharia and what impact such a bill will have on the lives of American Muslims. It is not as if American Muslims are clamoring for the United States to abrogate the Constitution and substitute in its place Sharia.

How would a ban on Sharia affect our lives?

First, it subjects American Muslims to unequal treatment insofar as government regularly uses religious traditions to inform how a person's estate should be distributed after death, how a business contract should be enforced, and what religious accommodations an employer is obligated to provide an employee. In these situations, it is appropriate and perfectly compatible with American law to refer to relevant religious traditions. These bans on Sharia—the religious traditions of Islam—would prevent American Muslims from using their faith to inform their lives in the same way that other religious communities in America do.

The second effect of attempts to ban Sharia is that they suggest to our fellow Americans that Islam is something dangerous. Why else would a state legislator be trying to pass a law placing restrictions on the religious traditions of Islam while leaving all the other faiths in the United States untouched? And this suggestion is not made so subtly. Representative Don Wells of Missouri compared Sharia to polio. Another lawmaker, Representative Rick Womick of Tennessee, called Islam a “political-militaristic religion.” The lawmakers that have introduced these bans on Sharia, as well as the anti-Muslim activists and organizations supporting them, know exactly what they are doing: stirring up fear and animosity against American Muslims.

What Worked: Lessons learned from Oklahoma, Tennessee and Michigan

- Network with the local Chamber of Commerce. Passage of legislation banning “Sharia” or international law will interfere with business. Note that as the legislation is evolving, the bills often include an exemption for business.
- Mobilize a broad spectrum of partners, particularly business, interfaith and progressives. Having numbers helps. At the very least, it makes it harder for your opposition to attempt to simply attack the Muslim community rather than deal with substantive business, legal, social, and Constitutional issues.
- Connect the bill to David Yerushalmi. His record of bigotry targeting blacks, women and other minorities drives support away from the bill. Similarly, proving that the legislator behind the measure did not write the bill or was influenced by an anti-Muslim hate group such as Act! For America helps reduce support for the measure. See the appendix for more on Yerushalmi.
- Understand the legislative process. Most bills are referred to a specific committee within a legislature. This smaller body is the best to work with. Have your friends in the legislature keep you informed on the bill’s progress. It is important to know when the bill will come up for a vote in committee.
- Meeting with your state’s governor or his or her staff is also important. The governor’s signature is generally necessary for a bill to become a law.
- Go public? This requires serious consideration and consultation with your allies. In every state this issue presents a number of pros and cons. Such decisions must be made based on an informed assessment of the circumstances in your state. The decision to go public cannot be made based on a generalized fear of “making waves” or “drawing attention to ourselves.” A reality of America is speaking up works while doing nothing merely ensures that those who oppose you will dominate any conversation. If the state legislature is a place where your concerns can get a sober and objective hearing, then limiting your efforts to behind the scenes work can pay off. If the issue is public and opposition groups are issuing alerts to motivate their followers, then it may be time for a public push.
 - On the positive side, media coverage highlighting Yerushalmi’s authorship and consequences such as First Amendment impact, business implications and the state getting a reputation for intolerance has been beneficial. Additionally, the waste of time and energy fighting a phantom threat has caused public repudiation of anti-Muslim bill sponsors. Many bill sponsors cannot point to any real instances where any foreign or religious law has trumped American law, something the Constitution’s supremacy clause makes impossible in any realm other than that of pure fiction.
 - On the negative side, media coverage can generate greater energy in the Islamophobia movement. It can also generate anti-Muslim rhetoric.
- Get your research done about groups pushing the bill. In Oklahoma, the High Noon Club, a supporter of restricting Muslim religious practice, had an event about President Obama being a Muslim planted by the Saudi government. Such facts bring into question the legitimacy of the bill’s supporters and reduce the desire of politicians to be associated with such measures.

- Document how these “social reforms” impact the economy. Defining how it impacts the economy works better than trying to define Sharia.
- Know your audience. In some circles words like “anti-Islam” actually bring more support to a bill.

Understanding the Legislative Process

How a bill becomes law

A proposed law, or bill, can be introduced in either of a state legislature's two bodies, generally the House and Senate. The bill is then sent to the committee that has jurisdiction over the area the bill will impact. For instance, bills impacting civil liberties generally go to the Judiciary Committee.

The committee may choose to do nothing with the bill, thus "killing" it. Alternatively, expert witnesses may be brought in to discuss a bill's merits. The committee will vote on the bill. If it passes, it will be sent for a vote by the entire House or Senate. If passed, the bill is then sent to the other chamber where the above process is repeated. If the bill passes both chambers in different forms, it is sent to a conference committee. The conference committee is comprised of Members of both chambers. Usually these Members have some expertise relevant to the issue at hand. If the conference committee can agree to a compromise bill, this version is sent to both chambers and again subjected to a vote. If passed again, the bill is sent to the state's Governor. The Governor may veto (reject) the bill or sign it into law.

It is easier to challenge a bill when it is in a legislative committee than when it is on the floor of the State House or Senate. Speak with supportive legislators to learn about committee structures, membership and when a committee plans to consider a bill. It is important to speak with committee members in advance of this date.

Legislative Advocacy Limits for Non-Profit Organizations, Rules for 501(c) (3) Organizations

- 501(c) (3) is one part of the tax law that provides for tax exemption for certain religious and educational institutions. In exchange for tax-exempt status, these institutions agree to abide by some limitations on their activities. IRS Publication 557
- Most mosques and Islamic centers are incorporated as 501c (3) tax-exempt institutions. Many organizations that serve the community also register as 501c (3) entities.
- A 501(c) (3) organization may opt for an H exemption, allowing it to engage in lobbying activities beyond an insubstantial amount, by filing IRS Form 5768.
- This information should not substitute for the advice of a qualified lawyer.

Can a 501c3 support or oppose specific legislation?

Yes. IRS publication 1828 says you may engage in lobbying if it is not substantial part of your work. The IRS does not clearly define what constitutes a substantial part of your work, but court cases have indicated that less than 5% of the organization's total activity is acceptable and 16-20% is too much. Your organization is considered to be attempting to influence legislation (lobbying) if "it contacts, or urges the public to contact, members or employees of a legislative body for the purpose of proposing, supporting, or opposing legislation, or if the organization advocates the adoption or rejection of legislation." NOTE: A resolution, such as "Faith in Our Laws and Courts," is NOT legislation. A non-profit organization may work to support it without limit.

What can officers and employees of a 501c (3) do outside of the organization?

Individuals who lead or work for 501c3 organizations may freely express themselves on political matters outside of their role with the organization. They may not be on the clock or using

organization resources when so doing. Additionally, they must clearly state that they are acting in their individual capacity.

Checklist: Meeting with an Elected Official

___1) Know Who You Need to Speak with

An internet search for your state and “legislature” (e.g. Virginia and legislature) will generally produce the web site for your state’s law making body. Identify a) your specific representatives, and b) the leadership of the committee most relevant your need.

___2) Get Contact Information for the Member’s Scheduler

Call the official’s office and ask who to speak with about setting up a meeting. This is generally a scheduler. Get the proper spelling of this person’s name, their fax number and e-mail address.

___3) Prepare a Written Request for a Meeting

Include the following information: the topic you wish to discuss at the meeting; names of those who will attend (if possible limit your group to no more than five), when you would like to meet and your contact information. It is best to offer a range of dates and to be flexible.

___4) Send Your Request

Send the request to the official’s office by fax and e-mail.

___5) Confirm the Request’s Receipt

Wait two business days and then call to confirm that your request was received.

___6) Be Politely Persistent

Be patient and flexible, it may take several calls to get a firm meeting time.

___7) Call the Day Before

Call the day before your appointment to reconfirm it.

Ensuring an Effective Meeting with an Elected Official

- Ensure that everyone in your group knows and concurs with the desired outcome of the meeting.
- Ensure that everyone in your group knows the main arguments you will use to support your request.
- Keep written materials brief.
- Be sure you have contact information for the staff with whom you will follow-up after the meeting.

Who will attend and what is their role?

In general, avoid delegations larger than five. Select people who will stay on message and discipline their emotions. Know in advance the job you want each member of your team to perform. Who will make introductions and start the discussion? Who will make your key points? Who will make your ask? Does anyone have a personal story to tell that will help make your case? Does anyone have the professional expertise or community position whose contribution to the meeting will strengthen your case?

What is your outcome?

It is important to be clear about your purpose. Be specific in your requests and create the opportunity to follow up. For instance asking, “Will you vote in favor of legislation X?” or “Will you bring this point up during debate on the House floor?” are examples of specific requests. Make sure you have a name and contact information so you can follow-up. If you are in a position to organize a town hall with Muslim constituents, this is a good time to invite the official to visit the community.

Pitching Your Issue

As you frame your arguments to elicit support for your concerns, think about how the elected official adopting the issue will help you both, and how it will impact their district. Make adopting your position appealing to their interests. Try to mix a brief personal story in with your facts and figures.

Best Practices

Be punctual. Plan on meeting for no more than fifteen minutes; however, be willing to stay longer if the official is receptive. Know the official’s views and priorities before your meeting, this will help you frame the most convincing argument. Information on the elected official’s positions can be obtained through a visit to his or her website, searching the internet, or reading articles about him or her in the local paper. On issues where you cannot come to a mutually agreeable conclusion, always maintain basic courtesy. Be factual and honest. Summarize your three most important points at the beginning and end of the meeting. Never argue motivations, only the merits of the issues.

Things to Avoid

Do not make commitments you cannot keep. Do not tell the official or their staff that you want to “make them aware of” an issue. Once they find you are not asking for anything specific, their attention may drift.

Supporting Materials

Materials supporting your issue should be no more than five pages in length. Your first paragraph should clearly state what you are concerned about and what can be done.

After the Meeting

Send a thank you note to everyone with whom you met. Promptly send any material you promised and act on any commitments you made. Stay in touch and ask what action has been taken related to your issue.

Media Tools

How to Build a Media List

Identify the key media—print, TV, radio and internet—in your state, be sure to include ethnic media and university media. Contact these outlets and get contact information for the gate keepers listed below. Wire services are outlets such as the Associated Press and Reuters. The maintain daybooks about local events that reporters check regularly. Be sure any event you hold is listed in the local day book.

Media Gate Keepers

- Television: News Assignment Editor and Talk Show/News Producer
- Print: City/Metro Editor, Photo Editor, Religion Reporter, Feature Editor, National/Foreign Desk Editor
- Radio: News Director and Talk Show Producer
- Wire Services, examples are Daybook Editor and Bureau Chief
- Bloggers

Holding a News Conference

Best and worst times to hold a news conference

- Best: 10 a.m. - 1 p.m., 7 - 8:30 p.m.
- Worst: 2 - 6 p.m.
- Never: 4 - 5 p.m.

Before the Press Conference

- Send a media advisory one or preferably two days in advance of the event. This should be very short and clearly spell out the who, what, why, where and when of the event. It should give a clear preview of the issue to be discussed and the general position of the participants.
- Make sure the local wire service “Daybook” editor has been notified.
- Appoint an articulate, knowledgeable spokesperson.
- Make sure representatives from all major groupings within the community have been invited to take part.
- Decide on your “talking points.” A talking point supports your position or concern and can be said in 15 seconds. Three to five talking points are generally enough. Practice being able to say your talking point in different ways.
- Select a suitable site. Make sure to build visuals into the event. For example, if you are speaking about legislation, then the state capitol is an excellent back drop for video.
- Prepare a media kit containing a statement, a copy of the news release and relevant background and/or fact sheets.

SEE HERE FOR AN EXAMPLE OF THE BASIC LAYOUT AND CONTENT OF A MEDIA ADVISORY:

<http://www.cairchicago.org/presscenter.php?file=mostrecent>

See HERE FOR AN EXAMPLE

<http://www.cairchicago.org/2011/06/23/press-release-cair-uc-berkeley-release-first-annual-islamophobia-report/>

During the Press Conference

- Allow time for the media to set up, but start on time. Remember they have deadlines.
- After the media are set up, introduce the participants and give their organizational affiliations.
- Read a SHORT statement. Offer other participants an opportunity to say a few words (1 minute) and then take questions.

After the Press Conference

- Send a news release with full details of the issue at hand to media “gatekeepers.”

Media Advisory and Press Release Pointers

A media advisory goes before a press conference or event. It lets editors know the key details about your event. A press release is longer, up to a page, and provides more detail. It goes after a press conference or when you simply need to get information to the media.

The below points apply to both types of release:

- **Headline and Lead Sentence - Who, What, When, Where, Why**
- A person reading your release should know the core issue and what you want after reading the first 150 words of your statement.
- Keep your paragraphs short.
- Try to stifle creativity. You are not writing poetry. Anything sent to the media should be concise.
- Be clear, concise and “active.” Eliminate all unnecessary words.
- Define all non-English terms. Put opinions in attributed quotes.
- Re-write. Re-write. Re-write. Triple check for accuracy.
- Include usable contact information. Anyone listed as a contact must answer their phone or e-mail promptly.

What to Remember During an Interview

- You are in control of the interview.
- Begin and end with your talking points.
- When you finish your answer, stop talking.

Legal Analysis

The effort to introduce legislation that targets Sharia is part of a disturbing trend to institutionalize anti-Muslim sentiment into US law. In over twenty states, bills have been introduced that single out the religious traditions of Islam. While most of these bills did not become law, Islamophobes used the introduction of such bills as an occasion to stigmatize American Muslims.

We are lucky, however, to live in a country that has enshrined into its Constitution a uniquely broad understanding of religious liberty.

Even so, such anti-Muslim bills violate our Constitution for two reasons: (1) the First Amendment's Establishment Clause prohibits government from condemning or endorsing any religion and (2) the First Amendment's Free Exercise Clause guarantees all persons of faith equal liberty to practice their faith.

The Establishment Clause serves as a bulwark against government taking actions that advance one religion, inhibit another, or intervene in purely theological issues. Here, anti-Muslim bills that target Sharia send the unmistakable message that Islam is somehow a danger to the United States. Such bills justify disparagement against American Muslims. This is exactly the outcome the Establishment Clause was written to avoid.

Courts have utilized what is called the "Lemon Test" to determine whether a government action violates the Establishment Clause. Judges must ask whether a government action has the purpose or effect of advancing or inhibiting a religion and whether a government action results in excessive entanglement with purely religious affairs. Regarding anti-Muslim bills that target Sharia, each prong of the Lemon Test demonstrates such bills' unconstitutionality. These bills are introduced for the purpose of stigmatizing American Muslims and insinuating that Islam is a danger to America and accomplish their purpose by having the effect of broadcasting a pernicious message to fellow citizens. Furthermore, such bills result in excessive entanglement, because in order to exclude Sharia from a court, a judge must determine what is and what is not Sharia. The Establishment Clause prohibits courts from making these types of inherently theological decisions. Thus, anti-Muslim bills that target Sharia clearly violate the Establishment Clause's Lemon Test.

The Free Exercise Clause ensures that a person of faith can practice her religion with the same freedom accorded to everyone else. What this means is that government cannot pass a law against the religious practices of one faith because members of that faith are unpopular.

Indeed, in order to pass a law that affects religious practice, government must have a general and secular reason for the law. Persons of faith regularly enter contracts or enact wills that incorporate into these legal documents elements of their faith. And so long as such provisions do not otherwise violate the law, it is irrelevant to courts from where the provision originates. For example, if a Jewish person enacts a will that directs a court to divide his estate in accordance with a particular verse found within his religious tradition, a court would likely comply with this request. But if a Muslim person were to attempt something similar in a state that has passed an anti-Muslim bill, that Muslim would be prevented from doing so. This

outcome—the differential freedom accorded to members of one faith over another—is what the Free Exercise Clause was written to protect against.

Current Uses of Sharia in American Courts

Just like the traditions of other religions, the traditions of Islam—what is often called Sharia—are used in courts in normal and completely unexceptional circumstances. A court may utilize Sharia when it probates the will of a person who requested that his property be divided in accordance with particular elements or provisions found in Islamic traditions. A court may enforce an arbitration agreement that two parties freely entered that directs the parties to submit to the arbitration of a local Muslim cleric. And courts uphold contracts—such as interest-free mortgages—that incorporate Islamic traditions so long as such contracts do not otherwise violate American law.

Occasions where courts utilize the religious traditions of Islam in a manner completely consistent with American law are too numerous to mention. But a great resource for more information is www.Shariaindex.com. There you will find dozens of cases where judges appropriately considered Islamic religious traditions only in the manner that American law directs them to treat all religious traditions.

The Myth of Sharia Taking Over America

Proponents of anti-Muslim bills always speak about the ever-growing threat posed by Sharia encroaching upon and ultimately prevailing over American law. Proponents typically refer to barbaric punishments meted out by some foreign countries, ostensibly in accordance with Islam. These misguided notions, however, are more a reflection of the bigotry of their proponents rather than an accurate reflection of reality.

Just as the Establishment Clause prevents government from inhibiting Islam, it also prevents government from endorsing Islam or any other religion. Perhaps the most basic feature of the Constitution's protections of religious liberty is the absolute prohibition on government enacting an official religion. Islam cannot become a government endorsed religion.

There is simply no basis in law or in fact that Muslims can—or wish to—encroach upon American law.

What Sharia is and is not

Sharia was and is developed to be flexible and dynamic in practice, in order to achieve two main goals, and protect six main principles in society. The two goals are to bring good to one's community, and to repel harm from one's community. The six principles protected under Sharia are life, family, religion, education, property, and human dignity. Sharia must then adapt with respect to the social, political, and cultural climate of a given place and time in order to ensure that these two goals are met, and these six principles are protected.

Throughout history the way to achieve these goals and protect these principles has differed between various philosophies, eras, communities, and leaders. Understanding the potential complexity behind Sharia and its various interpretations, is the first step in realizing that following Sharia in America is not a threat to the United States. In fact, Sharia mandates that a Muslim practice their faith while respecting the law of the land in which they reside. The scholars are in a consensus on this issue.

Sharia is not...

1. Sharia is NOT a book of laws & codes

- Sharia literally means “path”, and it is a set of interpretations that are dynamic and intended to accommodate the time, place, and laws (in our case the U.S. Constitution) of a particular community. Thus, Sharia is interpreted differently based on its surroundings.

2. Sharia is NOT a form of government for American Muslims

- Sharia governs the religious practices of Muslims; however it explicitly mandates Muslims to respect the law of the land in which they reside. Thus, Sharia acknowledges the need to abide by laws independent of Islam – not to overthrow or replace them.

3. Sharia does NOT conflict with the U.S. Constitution

- The U.S. Constitution does not allow for any foreign or religious law to conflict with and replace the law of the land. It is literally impossible for Sharia to be used in American courts if doing so conflicts with our American laws.

4. Sharia is NOT a code of punishments for crimes

- In accordance with the above, criminal punishments are not a part of Sharia for American Muslims because our government enforces criminal laws. American Muslims are mandated to respect the criminal system of the U.S., not to create their own.

All religious rules must be in line with these six principles of Shari'ah:

- The right to the protection of life.
- The right to the protection of family.
- The right to the protection of education (intellect)
- The right to the protection of property (access to resources).
- The right to the protection of human dignity. The right to the protection of religion.

-Sumbul Ali-Karmali, Who's Afraid of Sharia, Huffington Post, September 3, 2010

Sharia is...

1. Sharia is a dynamic set of interpretations on how to practice faith

- Nearly 100% of Islamic principles outlined in Sharia change to accommodate various circumstances of a community in order to achieve one main goal – to benefit humanity.

2. Sharia is compliant and consistent with the U.S. Constitution

- Sharia mandates Muslims to respect the law of the land in which they live. From the beginning of Islam until today, Islamic principles were derived within the context of pre- and-co-existing legal codes.

3. Sharia is a guidance for Muslims in many private matters

- Sharia principles can be used to guide Muslims in marriage contracts, business contracts, child custody agreements, dietary customs, non-interest-based financial agreements, wills and testaments, charitable giving, and more.

4. Sharia has historically been allowed and considered in American courts

- Sharia can be considered and enforced by U.S. courts the same way other religious laws, or foreign laws can be applied that is in a manner consistent with public policy, such as Catholic Canon law and Jewish Halacha law. The situations mentioned in # 3 above are examples of matters the courts will consider and enforce.

5. Sharia is protected by the 1st Amendment and any attempt to restrict it is unconstitutional

- If any federal or state government is considering a ban on Sharia and other foreign or religious laws, it is unconstitutional and un-American.

Talking points

The U.S. Constitution is the law of the land. America has a time-honored tradition of allowing an individual to live by their faith within the confines of U.S. law.

- The Constitution is the law of the land. Nothing can undermine that fact. Any allegation to the contrary is no more than conspiracy theory.⁶
- America has a well-established tradition of allowing religious leaders to mediate disputes, so long as any agreement complies with U.S. law. This applies to Catholic canon law, Jewish Halacha, and Islamic Sharia.
 - For instance, “The Beth Din of America is a rabbinical court which adjudicates commercial, communal and matrimonial conflicts.”
- No one in America can be compelled to adhere to any religion. Islam shares this rule: In the Quran we are told “There is no compulsion in religion.” (Quran 2:256)

The movement to legislate against Islam is based on fear mongering and is destructive to the Constitution.

- These bills proclaim a possible step toward government-sanctioned discrimination against a religious minority.
- The most basic requirement of the law is to subject each person to its force equally.
- It is troubling that any public official would seek to treat Americans differently on the basis of faith.
- These anti-Sharia measures can easily infringe on First Amendment protected free exercise of religion. Like most Americans, we believe that government has no place interfering in our personal religious expression.
- By attempting to legislate restrictions on religious freedom, the individuals in the anti-Sharia movement reveal their lack of trust in free religious expression, the Constitution and the idea that America is a land of many peoples united by a shared belief in individual liberty.
- The Constitution is the law of the land and CAIR likes it that way. Our organization expends enormous legal and advocacy energy defending its principles.

“We must not confuse dissent with disloyalty. We must remember always that accusation is not proof and that conviction depends upon evidence and due process of law. We will not walk in fear, one of another. We will not be driven by fear into an age of unreason, if we dig deep in our history and our doctrine, and remember that we are not descended from fearful men — not from men who feared to write, to speak, to associate and to defend causes that were, for the moment, unpopular....We proclaim ourselves, as indeed we are, the defenders of freedom, wherever it continues to exist in the world, but we cannot defend freedom abroad by deserting it at home.”

-Edward R. Murrow, Journalist and Presidential Medal of Freedom recipient, March 9, 1954

⁶ Constitution, Article VI, clause 2 (aka The Supremacy Clause): “This Constitution, and the Laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding.”

Banning Sharia or foreign law is bad economics.

- Businesses seeking to take advantage of the expanding purchasing power of American Muslims are launching Islam-compliant endeavors including investing, home finance, and cemeteries.
- Given the current economy, why are legislators pursuing laws that drive business and investment away from our state? Why would a Swiss or Malaysian corporation consider doing business in our state if our law refuses to uphold contracts signed that involve their laws?
- Sharia-compliant investing is ethical investing. Muslims cannot invest in gambling, pornography or alcohol. Such principles are entirely in-line with traditional family values.
- Islamic banking and finance is growing at a rate of 15% annually, according to the Council on Foreign Relations.^{iv}

Trying to ban Islam by banning foreign law shows a very troubling lack of understanding of the court system

- According to Abed Awad, a New Jersey based attorney, “U.S. courts are required to regularly interpret and apply foreign law—including Islamic law—to everything from the recognition of foreign divorces and custody decrees to the validity of marriages, the enforcement of money judgments, probating an Islamic will and the damages element in a commercial dispute.”^v
- With respect to international law, an international treaty signed by the U.S. is the law of the land. We have ratified international treaties on civil rights, cybercrime, copyright and torture to name a few.

The Myth of “creeping Sharia” does not stand up.

- “Bill sponsors interviewed by POLITICO could not offer examples of cases from their home states, instead pointing to a 2010 New Jersey case that used Sharia as a defense, though the decision was reversed by a higher court.”^{vi}
- Many Muslims, who have immigrated to America attest to fact that they can practice Islam more freely under our system of government than the countries from which they migrated.

What is Sharia?

- Sharia is nothing more than the religious traditions that all Muslims use to guide the practice of their faith. It informs things like how we pray, when we pray, how much we give to charity and how we choose to be buried.
- American Muslim scholar Suhaib Webb defines the term as, “The Islamic system of law and the totality of the Islamic way of life based on the Qur’an and Sunnah.” The Quran is Islam’s revealed text. The Sunnah comprises the traditions and practices of the Prophet Muhammad.
- Shariah is how I practice my religion. What the Saudi government or Taliban does to oppress people is not my religion.

Sharia Requires Muslims to Obey the Law of the Land

- Adhering to the rule of law and order in any country while prohibiting vigilantism, which can lead to anarchy is within the Shariah.

- The Qur'an states, "Oh you who believe! Fulfill (all) obligations," and "fulfill (every) covenant, and surely (every) covenant will be questioned about." Therefore, American Muslims by divine mandate must fulfill their social contracts with the state, such as the obligations of citizenship.

On Terrorism

- The anti-terror fatwa issued by the Fiqh Council of North America in 2005 states: "
 - 1. All acts of terrorism targeting civilians are haram (forbidden) in Islam.
 - 2. It is haram for a Muslim to cooperate with any individual or group that is involved in any act of terrorism or violence.
 - 3. It is the civic and religious duty of Muslims to cooperate with law enforcement authorities to protect the lives of all civilians."

Muslims Cannot Force Islam on Anyone

- Muslims, like the followers of other faiths, are obligated to share the message of Islam. People are free to accept or reject that message.
 - Quran 2:256: "Let there be no compulsion in religion. Truth stands out clear from error..."
 - Quran 10:99: "If it had been the Lord's Will they would all have believed all who are on earth! Wilt thou then compel mankind against their will to believe!"
 - Quran 64:12: "So obey Allah and obey His Apostle; but if ye turn back the duty of Our Apostle is but to proclaim [the message] clearly and openly."

Addressing the Allegation that Sharia Allows for Inhumane Punishments

- Hudud (prescribed legal punishments) are primarily deterrents. They are rarely carried out in Muslim societies because of the evidence required for proving such violations is very demanding. A clear example is proving adultery. Four witnesses who are known in a community to be of strong moral character must see actual penetration of the female genitals by the male genitals. In court, they all have to describe in detail the who, what, when, where of the incident without contradiction from any witness. Any contradiction and the witnesses are punished for false accusations.
- The judge must look for ambiguities to avert punishment from the accused. Any ambiguity in the case is a cause for dismissal. This is because of the Islamic legal maxim: "avoid imposing criminal sanctions in cases of doubt or ambiguity."
- Every possible instance should be exhausted before even considering carrying out the punishment for any crime.
- Historically, punishment for adultery has been rarely dished out. Contemporary cases of stoning in some countries are due to a gross misunderstanding of Islamic law and obvious violations of human rights.

Appendix A
Useful resources

Video: Shariah, the Constitution and American Muslims
(Suhaib Webb)

<http://video.law.umaryland.edu/OpenPlayer.asp?GUID=86BB7799-17CD-4F99-BDCA-2E5FED24AF97>

Video: Understanding and Defending "The Shariah"
(CAIR-LA Executive Director Hussam Ayloush)

<http://www.vimeo.com/22344203>

Who's Afraid of Sharia?
(Sumbul Ali Karamali)

http://www.huffingtonpost.com/sumbul-alikaramali/whos-afraid-of-Shariah_b_701331.html
"The Qur'an contains many verses advocating religious tolerance, too, though the anti-Islam protesters won't believe it. The Qur'an says that: God could have made everyone into one people, but elected not to (11:118); God made us into different nations and tribes so that we can learn from one another (49:13); there is no compulsion in religion (2:256); and that we should say, "to you your religion, to me mine" (109:6). The only verses about fighting in the Qur'an refer specifically to the polytheistic Arab tribes who were trying to kill the Prophet in the 7th century. So the Islamophobes who look in the Qur'an for the fighting verses and assume that these verses refer to them personally are simply being narcissistic."

What is Shariah and Why does it Matter?
(Sherman A. Jackson)

http://www.huffingtonpost.com/sherman-a-jackson/what-is-Shariah-and-why-d_b_710976.html

"As for change, the rules of Shariah are divided into two categories: religious observances (prayer, fasting, etc.) and civil-criminal matters (marriage, sales, adultery, jihad, etc.). While religious observances are relatively static and fixed, the rules on civil-criminal matters are subject to change in accordance with circumstances."

Setting the Record Straight on Sharia
(Intisar Rabb)

http://www.americanprogress.org/issues/2011/03/rabb_interview.html

"Sharia is the ideal law of God according to Islam. Muslims believe that the Islamic legal system is one that aims toward ideals of justice, fairness, and the good life. Sharia has tremendous diversity, as jurists and learned scholars figure out and articulate what that law is. Historically, Sharia served as a means for political dissent against arbitrary rule. It is not a monolithic doctrine of violence, as has been characterized in the recently introduced Tennessee bill that would criminalize practices of Sharia."

Understanding Sharia
(Center for American Progress)

http://www.americanprogress.org/issues/2011/03/pdf/Sharia_law.pdf

Most academics studying Islam and Muslim societies give a broad definition of Sharia. This situation reflects Muslim scholars struggling for centuries over how best to understand and practice their faith. But these specialists do agree on the following:

- **Sharia is not static.** Its interpretations and applications have changed and continue to change over time
- **There is no one thing called Sharia.** A variety of Muslim communities exist, and each understands Sharia in its own way. No official document, such as the Ten Commandments, encapsulates Sharia. It is the ideal law of God as interpreted by Muslim scholars over centuries aimed toward justice, fairness, and mercy.
- **Sharia is overwhelmingly concerned with personal religious observance such as prayer and fasting, and not with national laws.**

Any observant Muslim would consider him or herself a Sharia adherent. It is impossible to find a Muslim who practices any ritual and does not believe himself or herself to be complying with Sharia. Defining Sharia as a threat, therefore, is the same thing as saying that all observant Muslims are a threat.

The “Sharia threat” argument is based on an extreme type of scripturalism where one pulls out verses from a sacred text and argues that believers will behave according to that text. But this argument ignores how believers themselves understand and interpret that text over time.

The equivalent would be saying that Jews stone disobedient sons to death (Deut. 21:18-21) or that Christians slay all non-Christians (Luke 19:27). In a more secular context it is similar to arguing that the use of printed money in America is unconstitutional— ignoring the interpretative process of the Supreme Court.

Appendix B
David Yerushalmi, author of American Laws for American Courts

The American Laws for American Courts model legislation can be seen here:

http://publicpolicyalliance.org/?page_id=38

CAIR strongly recommends that you compare its text to any bill introduced in your state.

David Yerushalmi is the President and Founder of the hate group Society of Americans for National Existence (SANE). Yerushalmi acknowledges on his web site that he authored the sample legislation.^{vii}

Southern Poverty Law Center: “[Yerushalmi] waxes bloodthirsty when describing his preferred response to the supposed global threat of Shariah law, speaking casually of killing and destroying. Ideally, he would outlaw Islam and deport Muslims and other ‘non-Western, non-Christian’ people to protect the United States’ ‘national character.’ An ultra-orthodox Jew, he is deeply hostile toward liberal Jews. He derides U.S.-style democracy because it allows more than just an elite, privileged few to vote.”^{viii}

New York Times: “In a 2006 essay, he wrote that “most of the fundamental differences between the races are genetic,” and asked why “people find it so difficult to confront the facts that some races perform better in sports, some better in mathematical problem-solving, some better in language, some better in Western societies and some better in tribal ones?” He has also railed against what he sees as a politically correct culture that avoids open discussion of why “the founding fathers did not give women or black slaves the right to vote.”^{ix}

Anti-Defamation League: Yerushalmi “is the founder and president of the Society of Americans for National Existence (SANE), a “think tank” that has published anti-Muslim, anti-immigration, and anti-black materials, as well as New World Order-style conspiracy theories.”^x ADL further notes SANE also argues that the “immigration debate” should take into account that America was “founded and made strong by immigrants from western European countries with Judeo-Christian roots.”

YERUSHALMI IN HIS OWN WORDS

SEARCH AND DESTROY ISLAM’S UGLY HEAD: “We need to implement the Separation platform with a Search and Destroy Mission whenever Islam raises its ugly head.”^{xi}

SUPPORTS A STRATEGY OF CONQUER AND CONTROL REGARDING MUSLIMS: “...one billion Moslems around the world with a dream of a One World Islamic state will not simply melt peacefully into the West. A strategy of conquer and control must be contemplated, devised and made ready for implementation.”^{xii}

CONDEMNS U.S. DEMOCRACY, FINDS TRUTH IN ANTI-JEWISH VIEWS: “Stop the Madrassa leader David Yerushalmi also condemns democracy in the United States and, in comments that evoke classical anti-Semitic stereotypes, says he finds truth in the view that Jews ‘destroy their host nations like a fatal parasite.’”^{xiii}

IF YOU ADOPT SHARI'A "YOU ARE IN OUR CROSSHAIRS": "One law and one Rule of Engagement: If you adopt Shari'a⁷ [Note: The definition of Sharia presented encompasses virtually all Muslims.] as your theo-political-legal doctrine, you constitute our enemy and you are in our cross-hairs. We of course will pick the most opportune time and place but you will be targeted. At a practical level, this means that Shari'a and Islamic law are immediately outlawed."

⁷ "Shari'a" shall be defined as any set of rules, precepts, instructions, or edicts which are said to emanate directly or indirectly from the god of Allah or the prophet Mohammed and which include directly or indirectly the encouragement of any person to support in any way the abrogation, destruction, or violation of the US Constitution or the destruction of the national existence of the United States of America. Any rule, precept, instruction, or edict arising from the extant rulings of any of the five authoritative schools of Islamic jurisprudence (the Hanafi, the Maliki, the Shafi'i, the Hanbali, or the Ja'afariya school or fiqh) are prima facie Shari'a without any further evidentiary showing. [Essentially, this means any Muslim. Excerpt from the "SANE Act to Deal with the Islamic Threat to America's National Existence."

As of 8/09/2011 the document is available at <http://www.cair.com/Portals/0/pdf/SANE-%27adherence-to-islam%27-2.pdf>.

Appendix C
Interview planning sheet

Subject:

Talking Points:

- 1)
- 2)
- 3)

Possible Sound Bites: (no more than 15 seconds long)

- 1)
- 2)

Common Sense Anecdotes Relating to the Subject:

Appendix D
Faith in our state and laws resolution

Faith in Our State and Laws Resolution

WHEREAS, the U.S. Constitution is the supreme law of our nation, and this body has full confidence in its ability to endure all tests, and

WHEREAS, many immigrants came to our nation to escape government-sanctioned persecution of their faith, and

WHEREAS, this body believes that any law which is designed to restrict the liberty of one faith tradition erodes the founding principle of religious liberty and that it is, as James Madison wrote in 1785, proper to “take alarm” at any such “experiment on our liberties,” and

WHEREAS, our state has a history of embracing individuals’ right to practice the faith tradition of their choice within the law and free of government interference, and

WHEREAS, a multiplicity of religious beliefs, traditions and heritages bring strength to our state, and

WHEREAS, this body believes that it is not the role of the legislature of [STATE] to disparage or marginalize any religious tradition, and

WHEREAS, this body finds abhorrent all forms of discrimination, including those forms of discrimination targeting religion or belief, and

WHEREAS, our state benefits from a number of individuals and institutions whose faith motivates them to provide food to the hungry, shelter to the needy, inexpensive or free health services and other humanitarian services, and

WHEREAS, religious leaders who facilitate conflict resolution often achieve judicially-sanctioned results that ease the burdens on our courts, and

BE IT RESOLVED, [by the STATE House or Senate], that [STATE] welcomes all religious beliefs, traditions and heritages, and

RESOLVED that this body has full confidence in the U.S. Constitution and the laws of the state of [STATE] and does not entertain any concern that any foreign or religious law offers a threat to the law of the land.

Appendix E
Sample Media Advisory

The text below illustrates the basic elements of a media advisory. Notes are included to help you craft your own.

CAIR: Penn. Interfaith Leaders to Challenge Anti-Sharia Bill

[Note: Keep the headline both short and comprehensive. It is what prompts people to read further or ignore your event.]

WASHINGTON, Dec. 12, 2011 -- On Wednesday, December 14, the Council on American-Islamic Relations (CAIR) -- along with interfaith leaders -- will hold a news conference in Philadelphia to challenge "unconstitutional and un-American" legislation moving through the Pennsylvania legislature that sponsors say targets Islamic principles, or "Sharia."

[Note: Keep paragraphs short. The goal is to get coverage of your event. All of the core details of your event should be in the first paragraph.]

WHAT: Penn. Interfaith leaders to Challenge Anti-Sharia Bill

WHEN: Wednesday, December 14, Noon (Eastern)

WHERE: 9th Floor, 1218 Chestnut Street, Philadelphia, PA 19107

CONTACT: CAIR-Philadelphia Civil Rights Director, Amara Chaudhry, 215-592-0509, 484-686-2353 E-Mail: achaudhry@cair.com; CAIR-Philadelphia Executive Director Moein Khawaja, 215-592-0509, 217-638-7873 Email: mkhawaja@cair.com; CAIR-Pittsburgh Communications Coordinator Zohra Lasania, 412-606-3601, E-Mail: zlasania@cair.com

[Note: By this point in the advisory, an editor knows the Who, What, Where, When and Why of the event. This information is presented in a simple, easy to absorb fashion. The listed contacts must respond quickly, within twenty minutes, to calls or e-mails. The rest of the advisory simply adds detail to the above.]

Today's Pittsburgh Post-Gazette outlines interfaith opposition to House Bill 2029, which would ban courts from considering any "foreign legal code or system" that doesn't grant the same basic rights as the federal and state constitutions.

The newspaper quotes CAIR Staff Attorney Gadeir Abbas who said: "The real purpose of this bill is to provide a forum for Islamophobic bigots to come to the state assembly hearing and say nasty things about Muslims."

SEE: Proposed State Law Draws Religious Criticism (Post-Gazette)
<http://post-gazette.com/pg/11346/1196328-454-0.stm>

In a memo to all House members, Rep. RoseMarie Swanger falsely claimed that Sharia is "inherently hostile to our constitutional liberties."

SEE: American and Pennsylvania Laws for Pennsylvania Courts --- Shariah law
<http://tinyurl.com/6nnsmkm>

CAIR-Philadelphia Executive Director Moein Khawaja said: "Sharia is simply principles and guidelines by which observant Muslims live. It is in no way hostile or contrary to the Constitution. We hope the sponsors of the bill are open to learning and understanding how the bill may infringe on the First Amendment rights of people of all faiths in Pennsylvania."

He noted that the proposed Pennsylvania legislation is just one of more than 20 similar bills that have been introduced in state legislatures nationwide in the past year.

Even last night's episode of The Simpsons mocked the conspiracy theories about "creeping Sharia" in America.

Video: Simpsons Episode Mocks Anti-Sharia Hysteria
<http://www.youtube.com/watch?v=za9mmnx9IGY>

A 2010 lawsuit filed by the head of CAIR's Oklahoma office blocked implementation of a state constitutional amendment that would have prohibited courts from applying — or even considering — what it broadly described as Islamic "Sharia" and "international law."

The anti-Sharia bill was drafted by anti-Islam activist David Yerushalmi. Yerushalmi is head of the anti-Islam hate group Society of Americans for National Existence (SANE), which on its now password-protected website offered a policy proposal that would make "adherence to Islam" punishable by 20 years in prison, called for the immediate deportation of all non-citizen Muslims and urged Congress to declare war on the "Muslim Nation," which SANE defined as "all Muslims."

SEE: A SANE Act to Deal with the Islamic Threat to America's National Existence (SADITANE)
<http://tinyurl.com/4b54c88>

Meet the White Supremacist Leading the GOP's Anti-Sharia Crusade
<http://tinyurl.com/4amcmex>

The Anti-Defamation League (ADL) recently noted that Yerushalmi has "a record of anti-Muslim, anti-immigrant and anti-black bigotry."

CAIR is America's largest Muslim civil liberties and advocacy organization. Its mission is to enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding.

[Note: The paragraph above, the last in most releases, describes your organization or group. Assume the recipient knows nothing about you and that you have only a few seconds to describe yourself.]

CONTACT: CAIR National Communications Director Ibrahim Hooper, 202-744-7726, E-Mail: ihooper@cair.com; CAIR Communications Coordinator Amina Rubin, 202-488-8787, 202-341-4171, E-Mail: arubin@cair.com

Appendix F
Sample Press Release

The text below illustrates the basic elements of a press release. Notes are included to help you craft your own.

CAIR: Judge Bars Certification of Okla. Anti-Islam Amendment
Strongly-worded ruling supports Muslim plaintiff's legal arguments

[Note: Keep the headline both short and comprehensive. It is what prompts people to read further or ignore your release.]

WASHINGTON, Nov. 29, 2010 -- The Council on American-Islamic Relations (CAIR) today applauded a strongly-worded ruling by a federal judge in Oklahoma granting an injunction that bars certification of an anti-Islam state ballot measure (SQ 755) passed in the November 2 election.

[Note: Keep paragraphs short. All of the core details of your statement should be in the first paragraph. The most important information should be at the top of the release, followed by important factual details, with less important details at the bottom.]

SEE: Judge Rules in Favor of Muslim Man on State Question 755
<http://newsok.com/article/3519080>

If it had been certified, SQ 755 would have amended that state's constitution to forbid judges from considering Islamic principles or international law when deciding a case.

Today's ruling by Chief Judge Vicki Miles-LaGrange of the United States District Court for the Western District of Oklahoma ordered a preliminary injunction to block the certification of the amendment by the Oklahoma State Board of Elections until a final determination is made based on the merits of a lawsuit against SQ 755 filed by Muneer Awad, executive director of CAIR's Oklahoma chapter (CAIR-OK).

In her ruling in support of Awad's legal arguments, Judge Miles-LaGrange wrote:
"This order addresses issues that go to the very foundation of our country, our (U.S.) Constitution, and particularly, the Bill of Rights. Throughout the course of our country's history, the will of the 'majority' has on occasion conflicted with the constitutional rights of individuals, an occurrence which our founders foresaw and provided for through the Bill of Rights...

"Having carefully reviewed the briefs on this issue, and having heard the evidence and arguments presented at the hearing, the Court finds plaintiff has made a strong showing of a substantial likelihood of success on the merits of his claim asserting a violation of the Free Exercise Clause.

"As set forth above, plaintiff has shown that the actual language of the amendment reasonably, and perhaps more reasonably, may be viewed as specifically singling out Sharia (plaintiff's faith) and, thus, is not facially neutral.

"Additionally, as set forth above, the Court finds that plaintiff has shown that there is a reasonable probability that the amendment would prevent plaintiff's will from being fully probated by a state court in Oklahoma because it incorporates by reference specific elements of the Islamic prophetic traditions.

"Further, plaintiff has presented evidence that there is a reasonable probability that Muslims, including plaintiff, will be unable to bring actions in Oklahoma state courts for violations of the Oklahoma Religious Freedom Act and for violations of their rights under the United States Constitution if those violations are based upon their religion.

"Finally, the Court finds that defendants have presented no evidence which would show that the amendment is justified by any compelling interest or is narrowly tailored."

SEE: Judge Miles-LaGrange's Ruling

http://www.cair.com/Portals/0/pdf/oklahoma_ruling.pdf

"We applaud today's ruling and welcome the opportunity it offers to demonstrate that Oklahoma's Muslim community simply seeks to enjoy the civil and religious rights guaranteed to all Americans by our Constitution," said Awad.

[Note: Always include a quote that can be inserted into coverage of your release. Any opinion in your release should be in the form of a quote. The rest of the release should be comprised of facts.]

SEE: Intolerance and the Law in Oklahoma (NY Times)

<http://www.nytimes.com/2010/11/29/opinion/29mon1.html>

Awad's lawsuit, based on his own faith-based will, says SQ 755 violates the First Amendment's Establishment Clause that bars government bodies from making laws "respecting the establishment of religion."

SEE: Full Text of Awad's Lawsuit

<http://www.cair.com/Portals/0/pdf/argument.pdf>

Oklahoma Surprise: Islam as an Election Issue (NYT)

<http://www.nytimes.com/2010/11/15/us/15oklahoma.html>

"Today marks another day in American history in which our courts have defended the Constitution against those who would deny its protections to a minority community," said CAIR National Executive Director Nihad Awad (no relation to Muneer Awad). "We agree with Judge Miles-LaGrange and the U.S. Supreme Court that 'fundamental rights may not be submitted to vote.'"

Awad added that he hopes the ongoing legal process will expose the campaign of misinformation about Islam targeting Oklahoma voters that was used to promote SQ 755.

CAIR Video: SQ 755 Sponsor Explains Purpose of Amendment on MSNBC

http://www.youtube.com/watch?v=Ybvivrs_MH0

He said CAIR plans an education campaign in Oklahoma to offer state residents accurate and balanced information about Islamic beliefs and practices and about the American Muslim community.

CAIR Q&A on Oklahoma Anti-Islam Ballot Measure
<http://tinyurl.com/2asddqp>

Hate messages have been received by Muslim institutions in Oklahoma following the passage of SQ 755.

Video: Rachel Maddow Details Hate Messages Received by Okla. Muslims
<http://www.youtube.com/watch?v=wYCoXWFghAo>

CAIR is America's largest Muslim civil liberties and advocacy organization. Its mission is to enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding.

[Note: The paragraph above, the last in most releases, describes your organization or group. Assume the recipient knows nothing about you and that you have only a few seconds to describe yourself.]

CONTACT: CAIR-OK Executive Director Muneer Awad, 405-248-5853, E-Mail: mawad@cair.com; CAIR Staff Attorney Gadeir Abbas, 720-251-0425; CAIR National Communications Director Ibrahim Hooper, 202-744-7726, or 202-488-8787, E-Mail: ihooper@cair.com; CAIR Communications Coordinator Amina Rubin, 202-488-8787, 202-341-4171, E-Mail: arubin@cair.com

[The listed contacts must respond quickly, within twenty minutes, to calls or e-mails. The rest of the advisory simply adds detail to the above.]

Appendix G Sample Action Alert

The text below illustrates the basic elements of an action alert. The topic is different from the anti-religious freedom issue covered by this toolkit. Notes are included to help you craft your own.

Action: Ask West Point to Disinvite Anti-Islam Speaker

[Note: The subject line is short and clearly communicates that action is requested. Try to keep the document to one page.]

(WASHINGTON, D.C., 1/27/2012) -- CAIR is calling on American Muslims and other people of conscience to contact the superintendent of the U.S. Military Academy at West Point to ask that he rescind an invitation to an anti-Islam speaker, retired Lieutenant General William G. "Jerry" Boykin, who is scheduled to appear February 8 at an academy prayer breakfast.

[Note: By the end of the first paragraph, the reader should have a clear understanding of the core details of what is going on. Many people do not read much more than the first paragraph.]

Boykin believes that "[Islam] should not be protected under the First Amendment," that there should be "no mosques in America" and that there can be no interfaith dialogue or cooperation between Muslims and Christians.

The military academy says it stands by the decision to host Boykin because it is "in keeping with the broad range of ideas normally considered by our cadets."

"The academy's association with Mr. Boykin's extremist and intolerant views sends a negative message to the cadets and to the Muslim-majority nations in which they may be stationed after graduation," said CAIR National Executive Director Nihad Awad.

Awad sent a letter yesterday to Superintendent Lieutenant General David H. Huntoon asking that the academy's invitation to Boykin be withdrawn.

Awad's letter stated in part:

"Mr. Boykin's intolerant views do a disservice to our nation's longstanding traditions of religious freedom and pluralism and could potentially harm our country's interests and the security of our troops overseas. By providing a platform associated with West Point, Mr. Boykin's hate-filled rhetoric would receive a level of credibility and legitimacy it does not deserve. We respectfully ask that you reconsider inviting him."

CAIR and People For the American Way objected to Boykin's speaking yesterday at a mayor's prayer breakfast in Maryland. Hundreds of people contacted city officials to protest Boykin's appearance.

IMMEDIATE ACTION REQUESTED: (As always, be respectful and polite.)

[Note: Clearly tell people what you want them to do. Provide all the contact information they will need. If you are asking them to call give 3 short bullet points of what they can say. If you are asking them to write, provide a sample letter.]

CONTACT:

Lieutenant General David H. Huntoon
Superintendent

United States Military Academy
West Point, New York 10996

E-MAIL: webmail@usma.edu

COPY TO: Francis.Demaro@usma.edu, carole.marvin@usma.edu, info@cair.com,
christine.ferraiuolo@usma.edu, Theresa.Brinkerhoff@usma.edu, 8pao@usma.edu

SAMPLE LETTER:

Dear Superintendent Huntoon:

I respectfully request that the U.S. Military Academy at West Point rescind its invitation to retired Lieutenant General William G. "Jerry" Boykin who is scheduled to speak February 8 at an academy prayer breakfast.

Mr. Boykin is an infamous Islamophobe who believes that "[Islam] should not be protected under the First Amendment," that there should be "no mosques in America" and that there can be no interfaith dialogue or cooperation between Muslims and Christians.

His extremist views are clearly outside the "broad range of ideas normally considered by [y]our cadets."

The academy's association with Mr. Boykin's intolerant views do a disservice to our nation's longstanding traditions of pluralism and will send a negative message to the cadets and to the Muslim-majority nations in which they may be stationed after graduation.

I look forward to hearing from you.

Sincerely,

[Sign your name]

Please also mail or fax a copy to:

Mr. Leon E. Panetta

Secretary of Defense

1000 Defense Pentagon

Washington, D.C. 20301-1000

FAX: (703) 571-8951

Appendix H
Sample elected official meeting request

Honorable [NAME OF MEMBER]
c/o [NAME OF SCHEDULER]
United States House of Representatives
Washington, D.C. 20515

OR

United States Senate
Washington, DC 20510

Dear [Representative/Senator]:

I am writing to request a meeting with you to discuss my community's concerns about efforts to restrict religious freedom in our state.

My group will be in Washington D.C. on Monday 2/7 and Tuesday 2/8. We plan to be on Capitol Hill between 10:00 a.m. and 5:00 p.m. each of those days.

Attending the meeting will be [names, titles and affiliations, note if they are constituents, this can be identified by going to www.congress.org and entering the person's home zip code.]

The Council on American-Islamic Relations (CAIR) is the nation's largest Muslim civil rights and advocacy organization. [Blurb on Chapter in State].

I can be reached at the phone number or e-mail address below. I look forward to hearing from you soon.

Sincerely,

YOUR NAME

YOUR TITLE

Phone: [number you answer or check frequently]

E-mail: [address you check frequently]

ⁱ As of 12/29/2011, Rep. Swanger's can be seen at <http://www.legis.state.pa.us/WU01/LI/CSM/2011/0/8559.pdf>

ⁱⁱ Randy Lobasso. "Q&A: Rep. RoseMarie Swanger, who Introduced the 'Anti-Sharia' Bill," Philadelphia Weekly Blogs, December 22, 2011.

Available at: <http://blogs.philadelphiaweekly.com/phillynow/2011/12/22/qa-rep-rosemarie-swanger-who-introduced-the-%E2%80%98anti-Sharia-law%E2%80%99-bill/>, accessed 12/27/2011.

ⁱⁱⁱ McPherson, James. *Battle Cry of Freedom, the Civil War Era*. Oxford: Oxford University Press, 1988.

^{iv} Toni Johnson and Lauren Vriens. "Backgrounder: Islam Governing Under Sharia," Council on Foreign Relations, October 24, 2011. Available at: <http://www.cfr.org/religion/islam-governing-under-Sharia/p8034>

^v Justin Elliot. "What Sharia actually means," Salon, February 26, 2011.

^{vi} Summers, Juana. "GOP Litmus Test: Sharia Opposition," Politico, May 11, 2011.

^{vii} "The [American] Public Policy Alliance turned to the Law Offices of David Yerushalmi, P.C., to craft a uniform act that state legislatures could enact that would prevent local courts from applying those offending foreign laws in state courts." As of August, 16, 2011, available at <http://www.davidyerushalmilaw.com/CLE-Course-on-Draft-Uniform-Act--American-Laws-for-American-Courts-b25-p0.html>

^{viii} As of 8/09/2011, the Southern Poverty Law Center, a nonprofit civil rights organization dedicated to fighting hate and bigotry, listed Yerushalmi among the "anti-Muslim inner circle," <http://www.splcenter.org/get-informed/intelligence-report/browse-all-issues/2011/summer/the-anti-muslim-inner-circle>

^{ix} Andrea Elliott. "The Man Behind the Anti-Shariah Movement," New York Times, 7/30/2011.

^x As of 8/09/2011, the Anti-Defamation League expresses strong concerns about Yerushalmi, http://www.adl.org/main_Interfaith/david_yerushalmi.htm

^{xi} As of 12/04/2008, SANE listed its war manifesto on its website, <http://www.saneworks.us/War-Manifesto-The-War-Against-ShariaIslam-article-343-1.htm>

^{xii} David Yerushalmi. "Democratically Elected Fascists," The American Spectator, 1/30/2006.

^{xiii} Doug Chandler and Larry Cohler-Esses. "Tables Turn on Arab School Critics," The New York Jewish Week, 8/24/2007.