

TESTIMONY IN SUPPORT OF SB 199

... to prohibit the application of laws violating the fundamental rights guaranteed by the Montana & U.S. Constitutions

Chairman Sales & Members of the Senate Judiciary Committee:

We are Mary (Mimi) and Irvine Milheim, concerned grandparents from Dayton, Montana, who are unable to be present due to a health issue.

The preservation and protection of our system of law based on freedom and justice for all Americans, as guaranteed by our Montana and U.S. Constitutions, is being challenged as never before. This affects ALL AMERICANS, regardless of race, religion, political affiliation, etc. You have all received the book, "Sharia Law for Non-Muslims", which explains and documents the far-reaching cruel and inhumane ramifications of Sharia Law. Under Sharia Law, women, children and those who practice their own religion apart from the Muslim religion have none of the U.S legal system's protection. The Koran instructs that they be killed if they do not submit to the tenets of Islam and its Sharia Law.

For over thirty years, radical Islam has penetrated every aspect of American society under clever smokescreens embraced by Americans as "political correctness", respect for Muslim's "freedom of religion", etc. Emboldened by American weakness in the international arena, and claiming their own laws as part of their religion, Islam is making bold moves, not only on the battlefields around the world but also by attempting to have their "justice" administered by their unjust and uncivilized rules of Sharia Law in all nations, including the U.S. This removes the protection rendered to every American citizen by our courts of justice. They are using the rights guaranteed under our U.S. Constitution to push their form of law as religious rights. Their actions have rendered this a political ideology rather than a religious right. Radical Islam's goal is to eradicate all religions except the Muslim religion by forcing nations to adopt Sharia Law.

In <sup>23</sup>26 states Muslims have used the smokescreen of "freedom of religion" to demand that their cases be tried in our courts of law under the rules encompassed by their Sharia Law. Their latest ploy is in Dallas, Texas, where they are attempting to get their foot in the door by establishing a "voluntary" Islamic tribunal. You will see on the attached article that this gimmick is a "voluntary" farce. When asked what happens if there is a conflict between Sharia Law and Texas law, their answer, "We follow Sharia Law", demonstrates how "voluntary" it will be. By passing a law such as SB 199, Montana can prevent the battles which will be taking place in Texas and many other states which have not had the vision to protect themselves with legislation such as this.

Would not the hearing or trying of judicial matters by a set of (religious) laws other than those of the United States or the state of Montana be a violation of the first amendment to the U.S. Constitution? In such cases the courts would be establishing a religion , which is therein prohibited.

Have you wondered what is behind the staggering number of women suicide bombers? Brigitte Gabriel, a survivor of Islamic terror in her homeland of Lebanon, cites the following graphic explanation behind women suicide bombers in her New York bestseller, "Why They Hate". A Muslim girl is doomed to a life of misery. Many girls commit suicide as the only way out of a miserable situation such as forced marriage, divorce, soiled honor because of rape, or just rumored sexual promiscuity. This seventh-century Middle eastern barbaric Islamic tribal practice of degrading women and punishment through family "honor" killings is now a threat to the civilized world. Suicide bombing is seen by women as a means of cleansing their honor and becoming a female martyr rather than dying at the hands of family members.

Yassar Arafat's Fatah organization would arrange rapes of young women so they could be given the choice of rehabilitating their social status by becoming "martyrs" or undergo family honor killing, which is widely practiced under Sharia Law and is considered a crime in our U.S. courts of law.

We urge you to protect our Montana women, children, and the freedom of religion for all by passing SB 199. S.B. 199 needs stronger language to identify it for what it is— Sharia Law. Is the term "application of foreign law" so ambiguous that it could open a real Pandora's box in our courts? Muslims who are American citizens would no doubt argue that as Americans, Sharia is a form of their religion and should be protected as such.

Do the references to "freedom of religion" found in Section 1, Section 3 #1 and 2 (a) and Section 4 support that argument and give credence to their claim that Sharia is protected by the freedom of religion guaranteed by our U. S. Constitution? If so, please tighten the bill to make it very clear that Sharia Law has no recognition in our U.S. and Montana courts of law and is contrary to those freedoms granted to every American citizen.

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## ISLAMIC TRIBUNAL CONFIRMED IN TEXAS; ATTORNEY CLAIMS 'IT'S VOLUNTARY'

By Bob Price  
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An Islamic Tribunal using Sharia law in Texas has been confirmed by *Breitbart Texas*. The tribunal is operating as a non-profit organization in Dallas. One of the attorneys for the tribunal said participation and acceptance of the tribunal's decisions are "voluntary."

*Breitbart Texas* spoke with one of the "judges," Dr. Taher El-badawi. He said the tribunal operates under Sharia law as a form of "non-binding dispute resolution." El-badawi said their organization is "a tribunal, not arbitration." A tribunal is defined by Meriam-Webster's Dictionary as "a court or forum of justice." The four Islamic attorneys call themselves "judges" not "arbitrators."

El-badawi said the tribunal follows Sharia law to resolve civil disputes in family and business matters. He said they also resolve workplace disputes.

In matters of divorce, El-badawi said that "while participation in the tribunal is voluntary, a married couple cannot be considered divorced by the Islamic community unless it is granted by the tribunal." He compared their divorce, known as "Talaq," as something similar to the Catholic practice of annulment in that the church does not recognize civil divorce proceedings as ending a marriage.

He also said there is a difference between how a man and a woman can request a divorce under their system. "The husband can request the divorce directly from the tribunal," El-badawi stated. "The wife must go to an Imam who will request the divorce for her." He called it "two paths to the same result." The practice of Khula is the process where a wife can initiate a divorce proceeding and where the husband can agree to the divorce in exchange for a financial compensation. It appears the wife must agree to give up any claim to the "dower" that was not already paid or to return it if it has already been paid. Once the financial issues are resolved the husband can then proclaim the Talaq (divorce).

El-badawi said they follow Texas family law when it comes to child support, visitation, and custody. He said that in most cases, custody of children is awarded to the mother.

*Breitbart Texas* asked what happens when there is a conflict between Sharia law and Texas law. El-badawi said most of the time, the laws are in agreement. When pushed further he admitted that, "we follow Sharia law." However, he explained, "If the parties are not satisfied with the tribunal's decision, they do not have to accept it and they can take the matter to Texas civil courts." He did not say what the social ramifications of rejecting the "judge's" decision would be.

The website for the Islamic Tribunal states, "The courts of the United States of America are costly and consist of ineffective lawyers. Discontent with the legal system leads many Muslims in America to postpone justice in this world and opt for an audience on the Day of Judgment."

It goes on to state, "It is with this issue that Muslims here in America are obligated to find a way to solve conflicts and disputes according to the principles of Islamic Law and its legal heritage of fairness and justice in a manner that is reasonable and cost effective."

In explaining Sharia law, the website states, "Stoning adulterers, cutting of the hands, polyandry and the like (all can be traced in the relevant literature and can be explained in their Islamic legal mentality and rational context in fairness and justice), are mainly a part of Islamic Criminal Law. In fact criminal law within Islam only makes up a fraction of the Shari'ah. It is unscholarly and unfair to generalize that type of understanding, that is Criminal Law, to compromise the whole of Islamic law if we stick to speaking in technical terms."

The website lists four "judges:" Imam Yusuf Z.Kavakci, Imam Moujahed Bakhach, Imam Zia ul Haque Sheikh and Dr. El-badawi. It states the Islamic Tribunal resolves business disputes, divorce (Talaq) cases, community problems, serious family problems, and Khula.

El-badawi restated several times that participation in the tribunal is voluntary. However, he would not discuss what happens to someone who did not follow their rulings.

*Bob Price is a senior political news contributor for Breitbart Texas and a member of the original Breitbart Texas team.*

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