

# CATO INSTITUTE® COMMENTARY

## No 'Sharia Law' Is Coming to Texas

But such alarmism may undermine freedom.

OCTOBER 26, 2025 • COMMENTARY

By **Mustafa Akyol**

This article appeared in *The Dispatch* on October 26, 2025.

“**T**o be clear, Sharia law is not allowed in Texas. Nor are Sharia cities.” Thus **wrote** Texas Gov. Greg Abbott on X on February 24, in reference to a controversy raised over **EPIC City**, a residential development project in Texas, some 40 minutes northeast of downtown Dallas. The project was announced in 2024 as a plan to build a “thriving Muslim community,” with more than 1,000 residential units, a mosque, a K-12 faith-based school, a community college, and many shops. The developers repeatedly **said** they have no intention of implementing any Sharia law, and that their “Muslim neighborhood” would be “well integrated” into the wider community.

But that did not calm the **worries** among some conservative Americans, who seemed to see potential Taliban in any spot that is overtly Muslim.

Soon, the Department of Justice inspected EPIC City, but found no issues and **closed its investigation** in June. Still, the controversy has continued. Last month, Abbott **signed** a bill "**Banning Sharia Compounds In Texas**," as his office put it. Two weeks later, two Republicans in the U.S. House of Representatives introduced the "**No Sharia Act**" to ensure "Islamic law is never the law of the land in the United States" and to protect "American values of freedom."

As a Muslim who has long admired America's freedoms, I fully agree that they must be carefully preserved. I also agree that Sharia should never be "the law of the land"—not only in America, but anywhere else, including the Muslim world. But I worry that this new wave of alarmism about "Sharia law" may threaten liberty by targeting innocent communities and legitimate Muslim practices—as seen in the obstruction of EPIC City, the calls to **deport** those who "practice Sharia Law," or the suggestions to **exclude** Islam from the First Amendment. Such actions can also, inadvertently, help the radical Islamists who preach to Muslims that since the West will never be fair to them, they should see it as their sworn enemy.

This is not because "Sharia law," as enforced in certain parts of the Islamic world today—from Afghanistan to Iran, from Saudi Arabia to Nigeria—is not a real concern. It is, in fact, a huge concern. Terrible things have been justified in the name of Sharia: violations of religious freedom, oppression of women and non-Muslim minorities, child marriages, "morality policing," and even acts of terrorism. That is why reformist Muslims, including myself, have been arguing that **we need to reform Sharia—now**. (I've also gotten in trouble for making such arguments, such as when I was **arrested** by Malaysia's "religion police" for merely criticizing apostasy laws.)

**But such  
alarmism may  
undermine  
freedom.**

However, there are also some important facts and nuances about Sharia, the legal tradition of Islam, that seem entirely missing from the heated rhetoric of the day.

First, much of Sharia is not really “law” in the Western sense—legislation to be enforced by a state. It is rather about how Muslims pray, dress, eat, or fast. It also includes rules of marriage, divorce, and raising children, as well as business contracts and loans. None of these mandates violate human rights, as long as they are observed voluntarily, and they don’t have to define the laws of any state.

A helpful analogy here is the Halakha, the Jewish religious law that is freely practiced by Orthodox Jews, which has many **similarities to Sharia**. In fact, as **observed by the late Marshall J. Breger**, former vice president of the Jewish Policy Center, “the vast majority of Muslims, especially those living in the West, view Sharia no differently from the way Jews view the Halachic system: As an overarching guide to ordering one’s life.” That parallel between Judaism and Islam also explains why **European Jews and Muslims have joined forces** to defend their common practices—male circumcision and ritual animal slaughter—against those who want to ban them.

For the same reason, the much-discussed **“Sharia courts” in the United Kingdom**—which are in fact arbitration councils operating under British law—follow a longstanding **Jewish precedent**: the Beth Din, which has long enabled the Jewish community to resolve family and civil matters according to religious rules and on a voluntary basis.

But Sharia is controversial today while Halakha is not, and there is a reason for it: There has been no “Halakhic state” on earth for about two millennia, and the penal code of the Halakha—with punishments like stoning for adultery—has long turned obsolete. Sharia’s penal code, however, is still enforced in a handful of self-defined “Islamic” states, with harsh corporal punishments—amputations, lashes, and stoning—for some indisputable crimes (like theft or murder), but also for religious offenses (like apostasy, blasphemy, or impiety) that should be permitted in a free society.

That is also why, in my own argument for reforming Sharia, **I suggest** that it “should not be enforced by state power, but practised by faith, like the Jewish Halakha.” That also means there is nothing wrong with Sharia when it refers to harmless religious practices that are followed voluntarily.

Second, not every other Muslim is a walking Sharia enforcer, as some alarmists seem to think. **Most Muslims** may broadly respect Sharia as some divine guidance for piety and justice (often for only Muslims

themselves), but many also seem happy to live in secular or moderately Islamic states, raising their families and minding their own business.

That is why there is a specific term for those eager to enforce the Sharia: “Islamists,” who range widely from armed militants to more pragmatic politicians and ideologues. Yet even in the Muslim-majority world, their advances remain constrained: More than two dozen Muslim states, from Burkina Faso to Kazakhstan, are secular, while many others, particularly in the Arab world, such as Jordan, Lebanon, or Algeria, apply Sharia only to family matters.

Still, even if Islamists were to gain the upper hand, they would probably begin by enforcing Sharia in secular states that are roughly 90 percent Muslim, such as Indonesia, Uzbekistan, or Turkey. (Yes, despite President Recep Tayyip Erdoğan’s two-decade stretch of populist governance with Islamist tones, Turkey’s laws are still secular, as there is no big public demand for Sharia legislation, even among religious conservatives.) So, while the Muslim-majority world itself is considerably secular, fearing Sharia rule in America—whose tiny Muslim minority **makes up only 1 percent**—is highly far-fetched.

Third, Sharia itself, even in conservative interpretations, helps integrate Muslims into the secular West with its own religious rationale: The Quran commends Muslims, “O believers, fulfill your contracts” (5:1), and modern democratic states are built on a contractual relationship between governments and citizens. With this argument, popular sources of *fiqh* (jurisprudence, the interpretation of Sharia), such as the *Darul Iftaa* of the U.K., tell Muslims that they must be **“Obeying the Law of the Land in the West.”** Similarly, the *Fiqh Council of North America*, in an article titled, **“Being Faithful Muslims and Loyal Americans,”** says:

Islamic teachings require respect of the laws of the land where Muslims live as minorities, including the Constitution and the Bill of Rights, so long as there is no conflict with Muslims’ obligation for obedience to God.

This does not mean Western Muslims give up “obedience to God” by wearing headscarves and cooking halal food, by building communities and mosques, by preaching their religion and celebrating its festivals—which are all parts of the Sharia. But there is no problem in any of that, as long as they are not enforced on anyone. It only adds one more color to a free America that is already rich with diverse religious communities, each with its own distinct traditions.

Fourth, Muslim minorities are not just residing in the West, they are also being positively influenced by it by **becoming "socially liberal."** That is especially true in the United States, where Muslims are **well integrated** thanks to religious pluralism and dynamic capitalism.

This may not be evident to those who have only seen certain firebrands among American Muslims—with upsettingly pro-Hamas, pro-Hezbollah, and anti-American views—that have recently **captured media attention.** But cherry-picking the most unsavory figures in a large community is never helpful, and one should always try to see the big picture, which can be revealed in objective polls. One was a 2017 **Pew Research Center Survey on U.S. Muslims** showing that 9 in 10 were “proud to be American”; 80 percent were “concerned about extremism in the name of Islam”; half believed “traditional understandings of Islam need to be reinterpreted”; and more than half said “homosexuality should be accepted by society.” A 2011 poll by Gallup had also **found** “Muslim Americans more likely than other faith groups to reject attacks on civilians.”

In fact, one of the advocates of the EPIC City project in Texas, **Yasir Qadhi**, a leading Muslim cleric in North America, reflects that positive change. He comes from the Salafi movement, the strictest brand of Sunni Islam, but he has **moved toward** “a more moderate and pragmatic stance”—only to be condemned by hardliners for his **“reform agenda”** and **“colonized”** mind. In 2023, he gave a **significant talk** to American Muslims, saying that they have a blessing that most other Muslims lack: “A constitution that protects our freedoms.” “We thank Allah,” he added, “for that freedom.” (A year later, in an Acton Institute debate titled, **“Islam and the state: Can they be separate?”** I welcomed those comments by Qadhi, only to add, “I would advocate those freedoms in the Muslim lands, too.” He did not go that far, but agreed with me that “a coercive theological state” is bad for both society and religion.)

Here is the real question: Should American Muslims continue to enjoy the blessings of the United States Constitution, and keep thanking Allah for the freedom they have found in this beautiful country? Or should they feel excluded, scrutinized, and discriminated?

I hope and believe the answers will always be “yes” and “no.” For that is essential to the future of freedom—in America, and across the world, including the Muslim world. Throughout the latter, I have long argued that Muslims do not need “Islamic states,” but rather free states that allow

everyone to live by their conscience. And I have often pointed to the United States and its great tradition of religious liberty as an ideal model.

That model should keep shining, and its mantle of protection should continue to cover “the Jew and the Gentile, the Christian and Mahometan, the Hindoo, and Infidel of every denomination,” as Thomas Jefferson **envisioned**. It is a vision that has been tested before—when Catholics and the Latter-day Saints were once too novel and suspect for most Americans. The advocates of liberty won those tests. The ongoing test with Muslims should be won for liberty as well.

That also will be a victory over the truly anti-American forces in the Muslim world—from the Iranian regime to the Sunni jihadists—who have long preached to Muslim masses that liberty is a lie, and its greatest champion, the United States, is a deceiver. Proving them wrong will really help us all—from Christian to Muslim, from Jew to Gentile, from Texas to Mecca.

#### ABOUT THE AUTHOR

---



Mustafa Akyol

Senior Fellow, Cato Institute

