

In the name of God, the Most Compassionate, the Most Merciful.  
All praise and thanks belong to God, the Lord of the Worlds.  
May peace and prayers be upon Prophet Muhammad and his family.



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The Honorable Chip Roy  
Chairman  
Subcommittee on the Constitution and Limited Government  
U.S. House Judiciary Committee  
2138 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Mary Gay Scanlon  
Ranking Member  
Subcommittee on the Constitution and Limited Government  
U.S. House Judiciary Committee  
Federal Subcommittee Office  
2142 Rayburn House Office Building  
Washington, D.C. 20515

CC: All Members of the Subcommittee

Dear Chairman Chip Roy, Ranking Member Scanlon, and Members of the Subcommittee:

On behalf of the Council on American-Islamic Relations (CAIR), the nation's largest Muslim civil rights and advocacy organization, we write to formally condemn the Subcommittee's anti-Muslim, hate-driven hearing entitled "**Sharia-Free America: Why Political Islam & Sharia Law Are Incompatible with the U.S. Constitution.**"

This proceeding is not a good-faith constitutional inquiry. It is a political exercise rooted in a long-discredited conspiracy theory that has been repeatedly debunked by courts, scholars, and which CAIR has documented extensively in its congressional briefing memo, "[Weaponized Islamophobia: The Return of the Anti-Sharia Hoax](#)," and CAIR's educational factsheet "[Sharia in American Life](#)."

The so-called "anti-Sharia" panic is not new. It surged prominently in the early 2010s, when lawmakers in dozens of states introduced "foreign law" and "anti-Sharia" bills despite the complete absence of evidence that Islamic religious principles were replacing or undermining American law. Between 2010 and 2012, the [Pew Research Center reported](#) legislators in at least 32 states introduced such measures, several of which were enacted before being challenged, narrowed, or rendered legally meaningless. These efforts were widely recognized, even at the

time, as constitutionally redundant and transparently aimed at stigmatizing one religious minority rather than addressing any genuine legal concern.

In the years that followed, many Americans, including lawmakers from both parties, recognized the reputational and constitutional cost of weaponizing Islamophobia as a governing strategy. The revival of this narrative through a congressional hearing promoting anti-Muslim hate is therefore deeply troubling. It reflects not confusion, but a deliberate decision to resurrect a tactic that had already been discredited.

There is also a clear domestic political context for the revival of this rhetoric. In recent years, far-right policy networks associated with the **Heritage Foundation's "Project 2025" agenda** and related programs to roll back civil rights protections, weaken democratic accountability, and suppress dissenting voices within American society. These efforts have increasingly relied on weaponizing anti-Palestinian racism and anti-Muslim sentiment to delegitimize advocacy, silence critics of U.S. domestic and foreign policy, and cast constitutionally protected speech as a security threat. A congressional hearing framed around "Sharia-Free America" fits squarely within this pattern.

**At the core of this hearing is a foundational misrepresentation of Sharia.**

Sharia is not a codified legal system seeking to replace American law. It is a broad ethical and moral framework derived from Islamic religious teachings that guides personal conscience and religious practice, including values such as honesty, charity, responsibility to family, care for neighbors, and concern for justice. Millions of Muslim Americans live these values privately, just as Jewish Americans observe Halacha and Catholic Americans follow Canon Law. For American Muslims, Sharia functions in daily life much like religious ethics do for other faith communities: as a source of moral guidance, not a mechanism of state power.

U.S. law already governs all Americans equally. Courts may consider religious or foreign principles only through neutral legal doctrines, such as voluntary contracts or arbitration, and only where doing so does not conflict with constitutional rights. This framework applies uniformly across faith traditions. The notion that "Sharia law" is infiltrating American courts or governance is not a constitutional reality; it is a recycled fear narrative deployed for political gain.

It is also important to note that this hateful anti-Muslim hearing is being convened under the leadership of **Representative Chip Roy**, the Subcommittee Chair and co-founder of the so-called "Sharia Free America Caucus," an entity with no statutory authority, legislative mandate, or constitutional function. Its purpose is symbolic rather than substantive, designed to legitimize suspicion of one faith community rather than to conduct evidence-based oversight.

Equally troubling is the Subcommittee's selection of witnesses. These individuals are not neutral constitutional experts, but figures with long-documented records of promoting anti-Muslim ideology.

One invited witness, **Robert Spencer**, has been identified by civil-rights monitors as a central figure in promoting anti-Muslim hate in the United States. The Southern Poverty Law Center has

designated Spencer as part of the “[Anti-Muslim Inner Circle](#)” responsible for mainstreaming Islamophobic narratives in the post–September 11 era. In 2013, [Spencer was barred from entering the United Kingdom](#) due to concerns that his presence could foster hatred leading to inter-community violence. His writings and commentary rely heavily on collective blame, theological distortion, and decontextualization, and his work has been cited by perpetrators of anti-Muslim violence.

Another invited witness, Stephen Gelé, has been [linked to efforts promoting anti-Islam legislation associated with David Yerushalmi](#), a figure widely documented within the Islamophobia network. Yerushalmi’s writings have included explicit defenses of racially exclusionary governance and arguments suggesting that democratic participation should be limited to select populations. [Gelé has served in leadership roles within organizations that advanced Yerushalmi’s model legislation](#), which sought to criminalize Islamic religious practice under the guise of constitutional protection.

The Subcommittee has also invited Krista Schild, representing the [RAIR Foundation](#), an organization that CAIR and other civil rights monitors have identified as an anti-Muslim hate group. Rather than producing credible, peer-reviewed research, RAIR primarily generates advocacy content designed to stigmatize Muslim civic life, frequently targeting mainstream mosques, Muslim nonprofits, and public servants through insinuation, selective sourcing, and conspiracy framing rather than verifiable evidence. This approach mirrors historical smear campaigns once directed at Catholics and Jews and has the predictable effect of normalizing collective suspicion of an entire religious minority.

Elevating such groups and witnesses in a congressional hearing transforms the Subcommittee into an amplifier for Islamophobic propaganda dressed up as expertise.

The discriminatory nature of this proceeding becomes unmistakable when one applies a simple test. If this Subcommittee were convening a hearing titled “Halacha-Free America: Why Jewish Religious Law Is Incompatible with the U.S. Constitution,” or “Canon Law and the Threat to American Democracy,” the reaction would be immediate and bipartisan. Such hateful hearings would rightly be condemned as antisemitic or anti-Catholic abuses of congressional power and violations of the First Amendment’s commitment to religious neutrality.

Scrutiny that would be unthinkable if aimed at Judaism or Christianity does not become constitutional simply because it is directed at Muslims. Equal protection is not contingent on popularity. Religious freedom does not require majority approval.

This hateful anti-Muslim hearing must also be viewed within a broader pattern of state-level actions - particularly in Texas and Florida - seeking to label Muslim-led organizations and civic engagement as security threats through vague “terrorism,” “foreign influence,” or “foreign law” frameworks and designations. Many of these measures are currently being challenged in federal courts, including by CAIR. We have full confidence that unconstitutional efforts to impose collective suspicion on American Muslims will face swift judicial scrutiny and, where appropriate, injunctive relief.

For the record, CAIR has attached to this letter its October congressional briefing memo, "*Weaponized Islamophobia: The Return of the Anti-Sharia Hoax*," previously distributed to every member of the U.S. House of Representatives and Senate, as well as a companion educational document titled "*Sharia in American Life*."

These materials were circulated in October in response to a renewed wave of proposed anti-Muslim and anti-Sharia legislation at the state and federal levels, and were intended to provide lawmakers with factual, constitutional analysis demonstrating why such measures are unnecessary, discriminatory, and inconsistent with the First Amendment's guarantees of religious freedom and equal protection. We respectfully request that both documents be entered into the official hearing record.

**Let us be clear about what will happen regardless of this hateful anti-Muslim hearing:**

American Muslims will continue to engage civilly and lawfully in public life. We will continue to build, professionalize, and strengthen our nonprofit organizations, advocacy institutions, and houses of worship. We will continue to participate fully in elections by turning out voters, supporting candidates, and running for office ourselves. We will continue to seek equal protection under the law because the Constitution guarantees every community the right to improve its lives and contribute to the common good.

Whether some members of this Committee approve of that reality is irrelevant. We are as much Americans as anyone else, and our constitutional rights are not subject to political veto.

Members of Congress swear an oath to uphold the Constitution - not to impose religious or ideological litmus tests. Hearings like this that place Islam under collective suspicion while elevating documented anti-Muslim ideologues do not defend American values; they erode them.

We call on this Committee, and on Republican leaders at the state and national level, to repudiate this hearing, reject the politics of fear, and reaffirm that constitutional rights are universal, non-negotiable, and equally protected.

Sincerely,



Robert S. McCaw  
Government Affairs Department Director  
Council on American-Islamic Relations