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AFLC Asks U.S. Supreme Court to Review Appellate Court Decision Upholding Taxpayer Funding of Sharia

Washington, D.C. (October 10, 2012) — Today, the American Freedom Law Center (AFLC), a national nonprofit Judeo-Christian public interest law firm, filed a petition for a writ of certiorari in the United States Supreme Court, asking the Court to review an appellate court decision which held that a federal taxpayer lacked “standing” to challenge the constitutionality of the federal government’s use of taxpayer funds to support sharia.

This past June, a three-judge panel for the U.S. Court of Appeals for the Sixth Circuit ruled that a federal taxpayer lacked “standing” to challenge the government’s use of taxpayer funds to support sharia-based activities. The case, *Murray v. United States Department of Treasury, et al.*, was brought by AFLC Co-Founders and Senior Counsel David Yerushalmi and Robert Muise on behalf of plaintiff Kevin Murray, a taxpayer and former combat Marine who served in Iraq. The federal lawsuit, filed in the U.S. District Court for the Eastern District of Michigan, alleged that the U.S. government’s takeover and financial bailout of AIG violated the Establishment Clause of the First Amendment in that taxpayer dollars were directly funding AIG’s sharia-based businesses.

Muise, who drafted the petition and argued the case before the Sixth Circuit, commented: “The Sixth Circuit’s decision directly conflicts with controlling Supreme Court precedent, which holds that a federal taxpayer has standing to advance an as-applied Establishment Clause challenge to the impermissible use of congressionally-appropriated federal tax funds. Here, there is no question that federal tax money was being used to fund Islamic religious practices in violation of the Constitution. The Sixth Circuit’s decision effectively immunizes congressional spending that supports sharia from an as-applied constitutional challenge, thereby undermining the fundamental purpose of the Establishment Clause.”

At the time of the government bailout beginning in September 2008 and continuing to the present, AIG was – and still is – the world leader in promoting sharia-compliant insurance products. As the Sixth Circuit acknowledged in its opinion, “‘Sharia’ refers to Islamic law based on the teachings of the Quran. It is the Islamic code embodying the way of life for Muslims and is intended to serve as the civic law in Muslim countries.” Moreover, sharia is the legal doctrine that demands capital punishment for apostasy and blasphemy and provides the legal and political mandates for global jihad followed religiously by the world’s Muslim terrorists. By propping up AIG with taxpayer funds, AFLC argued, the U.S. government directly and indirectly promotes Islam and, more troubling, sharia. In addition, as the Sixth Circuit noted in its opinion, Murray objects to the use of his tax money to support sharia because it “forms the basis for the global jihadist war against the West and the United States.”

After a year of document requests, depositions of current and former government witnesses, and three separate subpoenas issued to AIG and the New York Federal Reserve Bank, Yerushalmi and Muise filed a motion for summary judgment in 2010, arguing that the undisputed facts demonstrate that the government, through its absolute control and ownership of AIG, and with tens of billions of taxpayer dollars, has directly and indirectly promoted and supported sharia as a religious legal doctrine in violation of the U.S. Constitution.

Indeed, in its opinion, the Sixth Circuit acknowledged that “AIG subsidiaries ensure the Sharia-compliance of its SCF products by obtaining consultation from ‘Sharia Supervisory Committees.’ The members of these committees are authorities in Sharia law and oversee the implementation of SCF products by reviewing AIG’s operations, supervising the development of SCF products, and evaluating the compliance of these products with Sharia law.” The court further acknowledged that “AIG’s subsidiaries received a significant portion of the funds AIG received from the federal government” and that “[s]ix AIG subsidiaries have marketed and sold SCF products since AIG began receiving capital injections from the federal government.” Most important, the court acknowledged that “[n]either party disputes that Treasury Department financing supported all of AIG’s businesses, including the subsidiaries that marketed SCF products.”

Yerushalmi remarked, “This case is ripe for review and reversal. If the government is permitted to take over a major insurance company with taxpayer dollars and use those tax dollars to promote sharia, an Islamic religious doctrine, then the Establishment Clause is meaningless

when dressed up as the government doing business. Once again, we see our Constitution being cast aside when Islam is involved.”

The *American Freedom Law Center* is a Judeo-Christian law firm that fights for faith and freedom. It accomplishes its mission through litigation, public policy initiatives, and related activities. It does not charge for its services. The Law Center is supported by contributions from individuals, corporations, and foundations, and is recognized by the IRS as a section 501(c)(3) organization. Visit us at www.americanfreedomlawcenter.org.

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