

## **Table of Contents**

- [\*Sharia in Libya\*](#)

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# **Sharia in Libya**

By Adam Serwer

The American Prospect (23.08.2011) / HRWF (25.08.2011) - <http://www.hrwf.net> - Tripoli, Libya - While the conflict in Libya really isn't over yet despite yesterday's euphoria over rebel gains, some conservatives are already freaking out over the fact that the draft constitution states "Islam is the Religion of the State, and the principal source of legislation is Islamic Jurisprudence (Sharia)."

Is this shocking or surprising? Not particularly. The constitutions of Iraq and Afghanistan also include Islamic jurisprudence and identify Islam as the state religion, while, like the Libyan draft constitution, asserting that practitioners of minority faiths are protected. It's practically banal that the Libyan constitution, given the politics of the region and the fact that the overwhelming population of the country is Muslim, would take a similar path. To be alarmed over Libya alone requires pretending that the governments that succeeded interventions in Iraq and Afghanistan were beacons of secular democracy.

Of course they aren't. And despite the nominal protections for religious minorities set forth in their constitutions, religious minorities in Iraq and Afghanistan still face persecution and restrictions on religious freedom. This is not something to take lightly, but it's not like the U.S. has the power to dictate outcomes in Libya, anymore than it did in Iraq or Afghanistan.

The optimistic scenario is that the aftermath of the conflict in Libya doesn't devolve into anything resembling the kind of violence we're seeing in Afghanistan and even Iraq. Extremism flourishes under such circumstances. In a free marketplace of ideas not marred by violent coercion, societies have the opportunity to evolve in more just directions. And it's worth noting that secularish autocracies, like the one that existed in Egypt prior to the Arab Spring, are conducive to extremism as well. The best opportunity for change here is to allow societies to evolve on their own terms.

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