

of the matter is that out of a total of 6,236 verses in the Quran, only 150 verses deal with legal matters. The rest of the Quran is about such issues as: knowledge of God; a person's role as an individual, in society, and vis-à-vis nature; the messages of various prophets, including many named in the Bible; guidelines for successful human behavior; and images of eternal life.

Islamic Sharia, Jewish Halacha and Roman Catholic Canon Law are not replacements for "the law of the land." However, for observant Catholics, Muslims, and Jews, their institutions and traditions are an important part of religious practice and must be respected.

Do Muslims Want To Impose Sharia?

Some well-financed Islamophobes like Daniel Pipes and David Yerushalmi argue that Jewish Halacha should not be banned but that Muslim Sharia should be banned since it imposes its precepts on non-Muslims, while Jewish Halacha applies only to Jews. However, the reality is that one of the basic principles of Sharia is non-interference in the religious affairs of others. This principle of Sharia is derived directly from the Quran, which declares: "Unto you your religion and unto me my religion," (Quran 109:6), as well as "Let there be no compulsion in religion," (Quran 2:256). Sharia cannot be imposed.

Unfortunately, some Muslims ignore this principle of Sharia. Just like some Christian fundamentalists and some ultra-Orthodox Jews, they like to impose things on others. However, just as most Christians and most Jews do not support forcing non-adherents to their faith to submit to their religious laws, almost all Muslims are against any coercive implementation of Sharia.

No Muslim American organization has ever passed a resolution calling for replacing American laws with Sharia laws. However, just as some Jews keep kosher dietary restrictions, observant Muslims do not eat pork and confine their food to what is Halal, i.e., permissible in Islam. Americans have



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always considered these to be reasonable religious accommodations, and they actually line up daily on Broadway and Times Square in New York City to buy some Halal hotdogs or Sharia-compliant Falafel sandwiches.

Defend Freedom Of Religion For All People

Our stories of the origins of Thanksgiving center on the pilgrims who came to the United States to avoid religious persecution by one Christian sect over the other. Consistent with this tradition of religious freedom, it is a cornerstone of our American democracy to keep state and religion independent of each other. It has been, by and large, a successful venture, with both state and religion flourishing independently.

Banning Sharia would be a radical departure from the historic consensus that made freedom of religion a primary basis for the founding of our great nation. We must not discriminate against any religion. All religions should be treated equally in the United States of America.

We cannot afford to pass laws based on hate.

By Abdul Malik Mujahid



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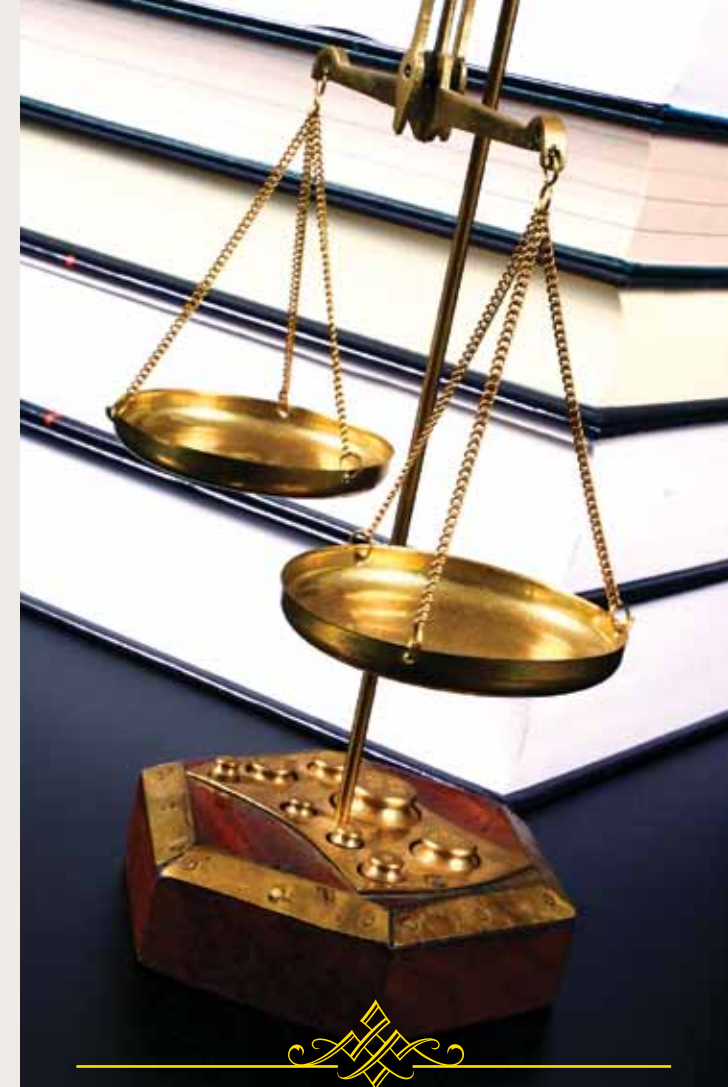
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RELIGIOUS LAWS AND FREEDOM OF RELIGION IN THE UNITED STATES

JEWISH HALACHA, MUSLIM SHARIA, AND ROMAN CATHOLIC CANON LAW





Jewish Americans have been practicing their religious law, which is called *Halacha*, since their arrival in the United States. They also operate religious courts, which are called *Beth Din*, in which parties participate voluntarily. The decisions of these *Beth Din* are at times enforced by United States courts. Likewise, Catholic Americans have a well-codified system of laws and courts called Canon Law, and the Mormons and the Amish often reject the American court system in favor of their own religious methods of resolving many disputes. Further, the Judicial Council is the highest court in the United Methodist Church, and the General Assembly serves as the highest court of Presbyterians in the U.S.A.

Although most of these laws and courts deal with religious matters, some do act as arbitration in non-religious matters: For example, in the Diamond Dealers Club in New York, a de facto diamond exchange, most disputes among diamond traders are settled by the Jewish court. "This has not led to the imposition of Jewish law or the breakdown of the separation of church and state."

All the above religious laws and courts operate in America on a voluntary, consensual basis, and they are all subject to the United States Constitution. Although Muslim Americans do not operate any court system, they do practice Sharia in their everyday lives. This practice by Muslims is guaranteed by the principle of freedom of religion, a liberty that Americans have always treasured and wanted to preserve.

The Ten Commandments Are Shared By Jewish Halacha, Christian Laws, And Islamic Sharia

Based on divine revelations, Muslims believe that God sent prophets and guidance to all people and that this is the source of a lot of the shared common ground among various religions, especially among the Abrahamic faiths of Judaism, Christianity, and Islam.

Nine of the Ten Commandments have important parallels in the Quran, including commandments to worship only God, not to make idols or graven images, not to take the name of God in vain, to respect and honor parents, not to murder, not to commit adultery, not to steal, not to bear false witness, and not to covet. The only difference is that Muslims are asked by God to close their businesses for the Friday noon prayers instead of Sabbath.

Just like many Christians, devout Muslims throughout the world admire the Ten Commandments as a code by which to live.

Comparing Sharia With Halacha

Interestingly Islamic Sharia and Jewish Halacha can both be translated as the path or the way. Just like Halacha, Sharia deals with both religious practices (daily prayers, fasting, charity, etc.) and other aspects of daily life (personal hygiene, guidelines for financial transactions, dietary regulations, etc.). Neither Halacha nor Sharia consists of a single book of codified law, and both have evolved over the years in a body of voluminous religious literature.

Observant Muslims follow the guidelines of Sharia, just as Conservative and Orthodox Jews follow Halacha.

Banning Sharia Is Like Banning Freedom Of Religion

Currently, there is a strong movement aimed at demonizing Islam and targeting Sharia in the crosshairs of discrimination. Forty-nine bills have been introduced in 25 different states that propose to ban the practice of Sharia. Three states have already banned Sharia. These laws and proposed laws directly abrogate the American Constitution's guarantee of freedom of religion in two distinct ways. Firstly, there are no state laws that would ban Halacha or Roman Catholic Canon-Law. By treating Islam differently than Judaism and Christianity, freedom of religion is imperiled. Secondly, banning Sharia would mean banning the very practice of Islam, which is a clear and dramatic destruction of freedom of religion, and which is contrary to the principle of the separation of church and state.

How does the banning of Sharia end up banning Islam? Quite simply, observant Muslims live Sharia on a daily basis as they pray, fast, and do charity. Muslims also routinely practice Sharia with regards to weddings, marriages, births, funeral rites, dietary specifications, and all other aspects of religious life. As can be seen, banning Sharia would have far reaching consequences with regards to freedom of religion.

Sharia governs the lives of Muslims. It is what exhorts Muslims to live justly, to help the needy, to be good to their neighbors whether Muslim or non-Muslim, to take care of their families, and to be productive members of society. Banning Sharia would ban a Muslim's very way of life and would set the stage for the banning of Jewish Halacha, Roman Catholic Canon Law, etc. Is giving into irrational fear worth this cost?

Corporal Punishments In Halacha And Sharia

Halacha and Sharia both prescribe corporal punishments for certain offenses, as does the Bible. However, neither Jews nor Muslims practice corporal punishment in the United States.

Muhammad, the Prophet of Mercy, would look the other way instead of using corporal punishments when someone came to confess. Furthermore, Sharia's purpose and Prophet Muhammad's implementation of corporal punishment were diametrically opposite to what the Taliban have come to symbolize. Still further, no Muslim organization or Jewish organization has called for the United States or any of its subdivisions to implement the corporal punishments outlined in Halacha or Sharia laws.

Sharia Is Not All Law

Unfortunately, those trying to ban Sharia or burn the Quran like to think of Sharia as being nothing but a set of "foreign" laws, and they have erroneously declared Sharia to be against United States law. However, the fact

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