

# IS SHARIA ISLAMIC LAW COMPATIBLE WITH THE AMERICAN CONSTITUTION?

By Abdullah Al Araby

Republican presidential candidate Ben Carson courageously stated that he could not support the election of a practicing Muslim to the presidency of the United States. The reason was that he doesn't think Islam is consistent with the American Constitution. Is Mr. Carson justified in his statement? Let's examine the facts.

Islam is more than a religion; it is an all-encompassing way of life with regulations for every facet of life. The life governing rules are embodied in what is known as Sharia Law. These laws are based upon the Quran, the Hadith (Mohammed's sayings,) and the Sira (Mohammed's biography). How does Sharia Law compare to the American Constitution that outlines the values and institutions that we hold dear?

## **First: Liberty**

The United States was built on the Bill of Rights, established by the founding fathers that came here to escape religious oppression. The Constitution gives citizens the right to express themselves as they please. We are free to criticize any governing elected official or policy; and are free to worship any way that we choose and to speak our minds about our own religion or that of others. Americans can act anyway that they deem appropriate as long as we don't violate the rights of others.

What would happen to this freedom in an Islamic state? Would the citizens be granted the right to choose the religion they want, or would they be forced to accept Islam according to the

Quranic verse: ***“If any one desires a religion other than Islam, never will it be accepted of him, and in the hereafter he will be in the ranks of those who have lost.”*** (Qur’an 3:85). How about the right of a Muslim to change to another religion? Is that a non-controversial matter as it is in our Bill of Rights? Or, would it mean that whoever changed from Islam would be charged with apostasy which is punishable by death? Mohammad said ***“Whoever changes his religion, kill him.”*** Hadith Al Bukhari Vol. 9:57.

## **Second: Democracy**

The USA’s system of government gives citizens the right of self-rule through duly elected officials of their choice. These representatives write the laws that best concur with the wishes of the people to maintain their way of life. We are to even have a say in what amount of taxes we are to pay and how the funds are to be spent.

One important principle in this great system is the separation of church and state. Islam, however, is actually a political-religious system. It’s built on an opposing concept, for ***“Islam is a religion and a state.”*** According to Islam, Sharia law is the principal sources of legislation: ***“We have sent down to thee the book in truth, that you might judge men as guided by God.”*** (Qur’an 4:105). If Sharia is the basis for law, what are some of the rules and regulations that might be eventually imposed under a Muslim president? Here are just a few examples:

- Stealing: punished by hand amputation (Qur’an 5:38)
- Adultery: punished by public flogging (Qur’an 24:2)
- Drinking: punished by 40 or 80 lashes (Al Bukhari 8:770)
- Resisting Islam: punished by death, crucifixion or the cutting off of the hands and feet (Qur’an 5:33)
- Blasphemy against Allah punishable by death (Qur’an 5:33-34)

- Blasphemy against the Prophet Mohammad: Death – even if the accuser repents (Qur'an 33:57)
- “Sodomy (homosexuality): Death for the person committing the act, as well as for the one receiving it. (Qur'an 4:15-16 and Sunan Abu Dawood 38:4447)

### **Third: Equality**

Under our system in the United States, there is not to be any discrimination among citizens based on gender, race, color, or religion. **Would Islam treat men and women equally?**

- It teaches that men are superior to women (Qur'an 2:228)
- It gives male heirs double portions of inheritance as that given female heirs. (Qur'an 4:11)
- When testifying in court a man's witness has the twice the value of a woman's. (Qur'an 2:282)

### **Would Islam treat non-Muslims fairly?**

- The Quran warns Muslims not to befriend Jews or Christians? (Qur'an 9:30)
- The Quran imposes “Jizya” (tribute tax) on Christians and Jews. They pay the extra Jizya tax just for the right of existence in Islamic culture (Qur'an 9:29)
- Mohammad says that a Muslim cannot be legally executed for killing a non-Muslim. “ Al Bukhari Vol. 9:50

### **My fellow Americans**

The threat of Islam is real. Muslims are taught from youth to give first allegiance to the religion of Islam above any non-Muslim nation. In essence, for most any fundamentalist Muslim, citizenship in the USA is apt to be merely a stepping stone to see Sharia Law established as the law of the land. To elect a Muslim President of the USA, carries great risks.

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