

93% of Muslim Public Officials Would Not Express Support for the Constitution They Swore to Uphold

JAN 7, 2020 3:00 PM BY STEPHEN M. KIRBY



It's more than just about having three Muslims in Congress. I think symbolically it has great value, but I won't rest until 2020 we have five more members of Congress; 2022 and 24, we have ten more Muslims in Congress. In 2030 we may have about 30, 35 Muslims in Congress. Then we're talking about Madame Chair Rashida. We're talking about Madame Chair Ilhan. Hell, we could be saying Speaker of the House Ilhan, Speaker of the House Rashida, Senator Rashida, Governor Ilhan, President Fatima, Vice President Aziza, Inshah' Allah...Each and every one of us has a directive to represent Islam, in all of our imperfections, but to represent Islam and let the world know that Muslims are here to stay, and Muslims are a part of America. And we will, we will have a Muslim caucus that is sizable, that is formidable, and that is there for you.

U.S. Congressman Andre Carson at the CAIR Community Congressional Reception, January 10, 2019

People in public office at the local, state, and federal levels are required to take an oath of office that requires them to swear, or affirm, to support the U.S. Constitution. This is based on Article 6, Clause 3 of that Constitution (the “Oaths Clause”):

The Senators and Representatives [in Congress] before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution...

As David Shestokas noted:

This constitutional requirement is binding upon every government official in the United States from state governors and judges to members of city councils, police officers, firefighters or board members of mosquito abatement districts and library boards.^[1]

The 2019 elections saw an increase in the number of Muslims re-elected and newly elected to public office across the United States, and as part of their oaths of office they each swear to support the U.S. Constitution. However, as I showed in my latest book *Islamic Doctrine versus the U.S. Constitution: The Dilemma for Muslim Public Officials*,^[2] there are many core tenets of Islam that are in direct conflict with much of that Constitution.

In theory, however, one would think that after a Muslim public official had publicly taken an oath to support the U.S. Constitution, having to publicly choose between either following that Constitution or following Islamic Doctrine would be simple: a Muslim public official would abide by the oath of office and choose the Constitution.^[3]

So I decided to put that to the test. In Chapters 10 and 11 of my latest book I provided a number of questions that could be asked of a Muslim public official and that require that official to choose between the Constitution and Islamic Doctrine. I put four of those questions into an e-mail and individually sent that e-mail to eighty Muslim public officials across the United States.

We shall first look at the four questions I used and then examine the variety of responses I received. I then list the Muslim public officials, by State, who did not respond to what, considering their oath of office, should have been simple questions to answer. This is followed by my concluding remarks.

The Questions

On December 9th and December 16th of 2019 I sent the following e-mail to eighty Muslim public officials across the United States who were either incumbents or who had been newly elected to office in the November 5th elections:

I am interested in your response, as an elected public official who follows the religion of Islam, to the following questions:

No. 1: *Will you go on record now and state that our 1st Amendment right to freedom of speech gives the right to anyone in the United States to criticize or disagree with your prophet Muhammad, and will you also go on record now and state that you support and defend anyone's right to criticize or disagree with your prophet Muhammad, and that you condemn anyone who threatens death or physical harm to another person who is exercising that right?*

No. 2: *Our 1st Amendment guarantees freedom of religion in the United States. As part of that freedom, anyone in the United States has the right to join or leave any religion, or have no religion at all. Will you go on record now and state that you support and defend the idea that in the United States a Muslim has not only the freedom to leave Islam, but to do so without fear of physical harm, and will you also go on record now and state that you condemn anyone who threatens physical harm to a Muslim who is exercising that freedom?*

No. 3: *According to the words of Allah found in Koran 5:38 and the teachings of your prophet Muhammad, amputation of a hand is an acceptable punishment for theft. But our U.S. Constitution, which consists of man-made laws, has the 8th Amendment that prohibits cruel and unusual punishment such as this. Do you agree with Allah and your prophet Muhammad that amputation of a hand is an acceptable punishment for theft in the United States, or do you believe that our man-made laws prohibiting such punishments are true laws and are to be followed instead of this 7th Century command of Allah and teaching of Muhammad?*

No. 4: *According to the words of Allah found in Koran 4:3, Muslim men are allowed, but not required, to be married to up to four wives. Being married to more than one wife in the United States is illegal according to our man-made bigamy laws. Do you agree with Allah that it is legal for a Muslim man in the United States to be married to more than one woman, or do you believe that our man-made laws prohibiting bigamy are true laws and are to be followed instead of this 7th Century command of Allah?*

I look forward to your responses.

Support for the U.S. Constitution

Only six Muslim public officials responded by specifically saying that they supported the U.S. Constitution. I emailed each of them and asked if each would be comfortable in being publicly identified in an article I would be writing. Three did not reply and one asked not to be identified, so I have not identified those four. The two that had no problem in being identified for their support of the U.S. Constitution were:

Mohammad Iqbal – Kane County Board, Kane County, Illinois
Shammas Malik – City Council, Akron, OH

Other Replies

I received various replies from seven other Muslim public officials:

Ilhan Omar – U.S. House of Representatives (MN-5): On December 16th I sent the e-mail to three different e-mail addresses I had for Omar. That same day I received a form response from Connor McNutt, Omar's Chief of Staff, stating that he was out of the office but would be returning that day. On December 20th I received a form e-mail from Omar that started out:

Dear Stephen,

As your Congresswoman, I do not only want to represent Minnesotans, I want to govern with you...

Omar never responded to the questions I had sent her.

Rashida Tlaib – U.S. House of Representatives (MI-13): On December 16th I received a form response from Tlaib acknowledging receipt of my e-mail. I have received nothing further from Tlaib.

Kaleem Shabazz – City Council of Atlantic City, New Jersey: On December 19th I received this reply from Shabazz:

As an elected official I support uphold [sic] and defend the laws of this nation state and city [sic] where I reside. Islam is completely compatible with the American laws. As president of the local branch of the NAACP and a member of the state Executive committee of the NAACP I support and speak for social justice civil rights and equality for all citizens [sic]. As President of Bridge of Faith an Interfaith group I try to being [sic] understanding of various faiths.

The next day I sent this response to Shabazz:

Thanks for getting back with me. I am curious about your statement that "Islam is completely compatible with the American laws," especially in light of the glaring incompatibility between Islamic Doctrine and the U.S. Constitution/"American laws" shown in the four questions I sent you. How can you support "the laws of this nation" when such an incompatibility exists between some of those laws and some of the tenets of your religion? Are you saying that when there is a conflict between the two, our man-

made laws are superior to the commands of Allah found in the Koran and the teachings and example of your prophet Muhammad? Do you mean that Islam “is completely compatible with the American laws” because when there is a conflict between the two, the Doctrines of Islam are subordinate to the U.S. Constitution and our other man-made laws?

I have not heard back from Shabazz.

Pious Ali – City Council of Portland, Maine: Ali responded on December 9th, simply writing:

The Inquisition ended in 1834

I replied that same day:

There is no “inquisition” involved. These should be very simple questions to answer because I believe your oath of office included a statement that you would support our U.S. Constitution and laws. Why do you hesitate to support the 1st and 8th Amendments to our Constitution, and our bigamy laws?

On December 10th Ali responded:

Where are you located again? I have taking [sic] that oath three times, It [sic] never says I should answer to bigots who live outside my jurisdiction, I hope your week is going well.

I replied that same day by pointing out that there was nothing bigoted about asking how he resolved fundamental conflicts between doctrines of his faith and the U.S. Constitution, and I asked why he was reluctant to answer.

On December 11th Ali responded:

I don't think I have to answer you, for one basic reason there is a separation between faith and politics in America. Unless you have another question that is directly connected to my role as an elected official in Portland Maine. [sic] I will not answer any of your racist anti-Muslim questions.

On December 12th I thanked him for his input. Later that same day he responded:

that is what I thought [sic]

I had not further exchanges with Ali.

Mustafa Al-Mutazzim Brent – City Council of East Orange City, New Jersey: Brent responded on December 12th, writing:

Please pardon my delayed response, it is neither deliberate nor intentional. Thank you for this timely and necessary discourse. Please feel free to reach out to me at your convenience, I will be happy to answer any questions you my [sic] have.

I replied that same day by pointing out that I looked forward to his responses to the four questions I had sent him. I have not heard back from Brent.

Abrar Omeish – Fairfax County School Board in Virginia: Omeish responded on December 9th with a form e-mail thanking me for contacting her and for everything I had done to help her to win. She noted that if the matter I was contacting her about was “time sensitive” I should send the e-mail again with “time sensitive” in the subject line. That same day I sent the e-mail again with “time sensitive” in the subject line. I have not heard back from Omeish.

Robert Jackson – State Senate of New York: On December 16th I received a form response from Jackson confirming receipt of my e-mail and stating:

We will review your email and do our best to provide feedback on the matter.

On December 17th I received the same form response again. I have not heard back from Jackson.

No Reply

These Muslim public officials did not reply:

California

Maimona Afzal Berta – Franklin-McKinley School Board
Javed I. Ellahie – Monte Sereno City Council
Al Jabbar – Anaheim Union High School District Board
Farrah N. Khan – Irvine City Council
Ali Saleh – Mayor of the City of Bell
Cheryl Sudduth – West County Water District Board of Directors
Ali Sajjad Taj – Artesia City Council
Aisha Wahab – Hayward City Council
Sabina Zafar – San Ramon City Council

Georgia

Sheikh Rahman – Georgia State Senate

Illinois

Bushra Amiwala – Skokie School District 3.5 Board of Education

Sadia Covert – DuPage County Board Member

Raabia Khan – Oak Grove School District 68 Board of Education

Sara Sadat – Lisle Board of Trustees

Indiana

Andre Carson – U.S. House of Representatives (IN – 7)

Iowa

Ako Abdul-Samad – Iowa State House of Representatives

Mazahir Salih – Iowa City, City Council

Maine

Marwa Hassanien – Bangor School Board

Maryland

Hasan M. "Jay" Jalisi – Maryland State House of Delegates

Fazlul Kabir – College Park City Council

Sabina Taj – Howard County Board of Education

Massachusetts

Afroz Khan – Newburyport City Council

Sumbul Siddiqui – Cambridge City Council

Michigan

Dave Abdallah – Dearborn Heights City Council
Mohammed Alsomiri – Hamtramck City Council
Sam Baydoun – Wayne County Commissioner
Nayeem Leon Choudhury – Hamtramck City Council
Abdullah Hammoud – Michigan State House of Representatives
Angela Jaffer – Northville School Board

Minnesota

Abdisalam Adam – Fridley School Board
Keith Ellison – Minnesota State Attorney General
Nadia Mohamed – St. Louis Park City Council

New Jersey

Alaa Abdelaziz – Paterson City Council
Assad Akhtar – Passaic County Freeholder
Mussab Ali – Jersey City Board of Education
Jamillah Beasley – Irvington Municipal Council
Adam Chaabane – Woodland Park Board of Education
Sadaf Jaffer – Mayor of Montgomery Township
Mohamed T. Khairullah – Mayor of the City of Prospect Park
Alaa Matari – Prospect Park City Council
Raghib Muhammad – Montgomery Township Board of Education
Salim Patel – Passaic City Council
Kamran Quraishi – Montgomery Township Committee
Denise Sanders – Teaneck Board of Education
Hazim Yassin – Red Bank City Council
Adnan Zakaria – Prospect Park City Council
Esllam Zakaria – Prospect Park Board of Education

New Mexico

Abbas Akhil – New Mexico State House of Representatives

New York

Charles Fall – New York State Assembly

North Carolina

Nasif Majeed – North Carolina State House of Representatives
Mujtaba A. Mohammed – North Carolina State Senate

Ohio

Basheer Jones – Cleveland City Council
Omar Tarazi – Hilliard City Council

Pennsylvania

Rochelle Bilal – Philadelphia City Sheriff
Nusrat Rashid – Delaware County Court of Common Pleas
Sheikh Siddique – Upper Darby Township Council

Virginia

Buta Biberaj – Loudoun County Commonwealth's Attorney
Ghazala Hashmi – Virginia State Senate
Haseeb Javed – Manassas Park City Council
Babur Lateef – Prince William County School Board
Harris Mahedavi – Loudon County School Board
Sam Rasoul – Virginia State House of Delegates
Ibraheem Samirah – Virginia State House of Delegates
Mohamed E. Seifeldein – Alexandria City Council
Lisa Zargarpir – Prince William County School Board

Washington

Riaz Khan – Mukilteo City Council
Varisha Khan – Redmond City Council

Conclusion

As I had previously noted, in theory one would think that after a Muslim public official had taken an oath to support the U.S. Constitution, having to publicly choose between either following that Constitution or following Islamic Doctrine would be simple: a Muslim public official would choose the Constitution.

The reality is quite different. Out of the eighty Muslim public officials I contacted, only six expressed support for the Constitution; it is interesting that of these six, only two of them agreed to be publicly identified. Seventy-four Muslim public officials would not even make a choice between the Constitution or Islamic Doctrine, even though each had publicly sworn to uphold that Constitution.

The fact that 93% of the Muslim public officials that I contacted would not express support for the U.S. Constitution is concerning and lends increased significance to the remarks of Congressman Andre Carson mentioned at the beginning of this article:

Each and every one of us has a directive to represent Islam, in all of our imperfections, but to represent Islam and let the world know that Muslims are here to stay, and Muslims are a part of America. And we will, we will have a Muslim caucus that is sizable, that is formidable, and that is there for you.

It would appear that 93% of the Muslim public officials I contacted give more credence to that directive than to their oath of office.

It is time to start publicly asking Muslim public officials to make a choice between the U.S. Constitution and Islamic Doctrine.

Dr. Stephen M. Kirby is the author of six books about Islam. His latest book is *Islamic Doctrine versus the U.S. Constitution: The Dilemma for Muslim Public Officials*.

[1] David Shestokas, *The US Constitution and Local Government*, January 7, 2014, <http://www.shestokas.com/constitution-educational-series/the-us-constitution-and-local-government/>.

[2] Stephen M. Kirby, *Islamic Doctrine versus the U.S. Constitution: The Dilemma for Muslim Public Officials* (Washington D.C.: Center for Security Policy Press, 2019); <https://www.centerforsecuritypolicy.org/2019/12/03/csp-press-releases-primer-on-islamic-doctrine-versus-the-u-s-constitution/>.

[3] However, according to Islamic Doctrine a Muslim can break an oath with minimal cost, or even negate the oath at the time it is being made. A Muslim can also make an oath but at the same time mean something completely different. For eye-opening details about this, see *Islamic Doctrine versus the U.S. Constitution: The Dilemma for Muslim Public Officials*, pp. 13-33.