

عيد الفطر 2010-1431

الله أكبر كبيراً والحمد لله كثيراً وسبحان الله بكرة وأصيلاً...

الله أكبر ربنا وخالقنا , أعطى فأجزل , وأنعم فأكرم , وهدى إلى سواء السبيل

الله أكبر أرسل رسوله بالهدى ودين الحق ليظهره على الدين كله ولو كره المشركون

الله أكبر جلّ وعزّ وملك. هو القادر المهيمن العزيز الجبار المتكبر

الله أكبر هو الرحمن الرحيم اللطيف الخبير الرؤوف الشكور

الله أكبر! الله أكبر! الله أكبر!

والحمد لله نحمده ونستعينه ونؤمن به ونتوكل عليه

الحمد لله حمداً كثيراً دائماً أبداً ما دامت السموات والأرض

الحمد لله على نعمائه , والحمد لله في السراء والضراء فإنه لا يحمد على مكروهه سواه

الحمد لله الذي أعطانا رمضان هدية بالغة نحن لها من الشاكرين

الحمد لله الذي وعدنا في رمضان رحمة ومغفرة وعتقاً من النار

الحمد لله والصلاة والسلام على رسوله محمد آخر الأنبياء والمرسلين

الله أكبر! الله أكبر! الله أكبر!

الله أكبر في صباح هذا اليوم عيد الفطر

وللصائم فرحتان : فرحة يوم إفطاره وفرحة يوم لقاء ربه

الله أكبر في كل صباح وفي كل مساء وفي كل حين
الله أكبر لا إله إلا هو الحي القيوم لا تأخذه سنة ولا نوم
أما بعد:

Sisters and brothers:

Best wishes to all for happy Eid; after a whole month of fasting, feasting and giving, hopefully also receiving forgiveness. I ask Allah to accept all of our actions of fasting, prayers and sadaqat . And I pray that Allah gives us the blessing of the month which has just departed, so that everyone of us is a better person and collectively we are a better community; a community which is beneficial and helpful to its neighbors and to all humanity
كنتم خير أمة أخرجت للناس تأمرون بالمعروف وتنهون عن المنكر وتؤمنون بالله

I want to talk today about the Bill of Rights which constitute the first ten amendments of the United States Constitution. One could wonder; what a Muslim speaker in the day of Eid has to do with US Constitution? You will notice that I will juxtapose aspects of the Bill of Rights with basic values we, Muslims, consider as basic. I don't mean by my discussion with my fellow Muslims to make everybody feel good, or to brag about what we have in our Book, but this exercise is merely for learning and discovering our own religion. By juxtaposing some of the Islamic teachings and the values derived from Bill of Rights we might also learn something about the rights we are offered as Muslim Americans, equally given to us as they all Americans. We should hence embrace these rights as our own.

First Amendment: Freedom of religion. What The Qur'an says about the freedom of religion is clear and unequivocal.

In Surat al-Baqara (2/256) "لا إكراه في الدين قد تبين الرشد من الغي [there is] no compulsion in religion; guidance has been distinguished from misguidance." And in Surat Yunus (10/99) "ولو شاء ربك لآمن من في الأرض كلهم جميعاً أفأنت تُكره الناس حتى يكونوا مؤمنين"

“Had your Lord willed, every one and all of those on earth would have been believers, how then would you ever think to compel people to become believers?” It is the will of the Lord to give people the choice, after clarifying the truth by sending down his message. Then it is the choice of every person to choose his religion. The command is clear in more than one passage in the Qur’an, and wise Muslims throughout history have understood this clearly. Islam never entered a land and eliminated other religions; To illustrate this I want to give one example; the only place on earth today where Christians worship, and have for centuries worshipped, using the Aramaic language (the language spoken by Jesus Christ) عيسى عليه السلام is in Syria—this is after 14 centuries after Islam entered and subsequently spread in Syria and its surroundings. We can’t say that about Christian’s Spain, which had up to five hundred years ago a sizable Jewish and Muslim population and we know what happened to them.

The writers of the Constitution had the foresight to put the freedom of religion in front and first. Other rights counted in the first amendment are freedom of speech and press, freedom to gather and freedom of redressing grievances caused by government. Umar Ibn Al-Khattab addressed ‘Amr Ibn Al-‘As his appointed Governor of Egypt saying متى استعبدتم الناس وقد ولدتهم أمهاتهم أحرارا —when did you enslave people, while their mothers delivered them free. Absolute, unqualified, freedom of man to speak their mind and act at a free will is assumed. But with freedom comes responsibility. In Surat al-Baqara (2/283), we read ولا تكنموا الشهادة ومن يكتمها فإنه آثم قلبه —don’t hide information when you are called as a witness; the one who does his heart is a sinner. And the Prophet told Mu’adh Ibn Jabal when he asked him if we are responsible for what we say: “Oh Mu’adh, nothing throws people on their faces in Hell more than the fruits of their tongues.” Everything we are responsible for we are free to exercise. A person is not responsible for any action forced on him. ‘Umar Ibn Al-Khattab emphasized people’s absolute freedom in a context where a governor’s son arbitrarily assumed the right to restrict the freedom of a man who lived in the area governed by his father. This took place in Egypt, which was one of the states ultimately under ‘Umar’s jurisdiction as Caliph but was governed by ‘Amr Ibn al-‘As. The son of the latter was reprimanded by ‘Umar, who received a complaint by the Egyptian man. The story of Umar and the Egyptian illustrates the right of people to petition the government for the wrong doing of its agents and the responsibility of the government to respond and redress the grievances.

Second Amendment: Right to bear arms قال الله تعالى في سورة الحج آية 39 "أذن للذين يقاتلون بأنهم ظلموا وإن الله على نصرهم لقدير" This was the first permission given to Muslims to bear arms and fight, after thirteen years in Mecca, where they were not allowed to fight their oppressors. They were required to avoid conflict and be patient. The license to fight was given after the followers of the Prophet were forced out of their homes and after the Meccans tried to make it difficult for them in their new hometown, Medina. This is the context for a right to bear arms. In the next Qur'anic verse, the justification for fighting is caused by the fact that these followers of Muhammad were driven out of their homes because of their new adopted religion. Bearing arms might have the effect of protecting the freedom of religion itself; bearing arms would deter people from destroying other people's places of worship.

"الذين أخرجوا من ديارهم بغير الحق إلا أن يقولوا ربنا الله ولولا دفع الله الناس بعضهم ببعض لهدمت صوامع وبيع وصلوات ومساجد يذكر فيها اسم الله كثيراً ولينصرن الله من ينصره إن الله لقوي عزيز" Haj 22/40 which translates to: If it were not for Allah to make people push back against each other there would have been destruction to many monasteries, churches, synagogues and mosques, (these places) where the name of Allah is frequently remembered.

Third Amendment: Quartering soldiers at time of peace: Ahmad Ibn Hanbal narrated from the authority of Abu Said that the Prophet said "الضيافة ثلاثة أيام فما زاد فهو صدقة" "hosting [the passersby] is offered for only three days, and anything more than that is charity." No one should be forced to host or feed a stranger, whether a civilian or a military person, for more than three days, and hosting them for these three days is expected only out of a sense of piety, not to support the cause of their trip or participate in whatever effort that made them in need of traveling and being hosted. Thus soldiers don't have the right to make a quarter in any person's property at time of peace unless the owner accepts them as guest, and that is a choice. And history tells us that was practiced by Muslims army for instance in Egypt as 'Amr Ibn al-'As built in outskirts of Cairo a base called Al-Fistat to quarter the soldiers away from the civilian population, also the two cities in Iraq; Basra and Kufa started as military bases.

The larger issue, however is the sanctity of homes; no house shall be used without the permission of its owner. In the Qur'an and in Islamic law, there is no recognition of soldiers as a professional organization; it is the duty of the whole population at the time of a threat to defend themselves.

There is no standing permanent army. The presence of an army actually came later on in Islamic history.

Ayas (Qur'anic verses) 27–28 of Surat Al-Nur covers the issue of the sanctity of homes:

"يأياها الذين آمنوا لا تدخلوا بيوتاً غير بيوتكم حتى تستأنسوا وتسلموا على أهلها لعلكم تذكرون * وإن قيل لكم ارجعوا فارجعوا هو أركبى لكم"

It is a call to the believers يأياها الذين آمنوا hence it is a duty, and an obligation فرض not to enter someone else's house without permission. Also, it stipulates the requirement of salutation as well. It adds that even with permission and having offered salutation: if the owner of the house asked not to be disturbed at that moment the person who has the permission should go back. In Islamic law, what applies to individuals applies to government agents. Let alone quartering of soldiers, no one is permitted to enter any house without a permission of its owner.

Fourth Amendment: Freedom from search and seizure. The following story will illustrate the understanding of Muslims of the teaching of the Qur'an in this regard. 'Umar Ibn Al-Khattab was the Caliph, so he was the ruler. It came to his knowledge that someone in Medina had organized a drinking party at his home, so 'Umar decided to disturb the party. He went at night from the back of the house over the fence, entered and caught everyone there red-handed. The owner of the house stood in front of 'Umar and admitted that he had made an error, but he said to 'Umar: Oh commander of the faithful, I committed one offence but you committed three: Allah TALA said: يأياها الذين آمنوا لا تدخلوا بيوتاً غير بيوتكم حتى تستأنسوا وتسلموا على أهلها (don't enter without permission) and you entered without permission. And He said وأتوا البيوت من أبوابها (enter houses from their doors) and you climbed from the back of the house. And thirdly, He said ولا تجسسوا (don't spy), and you have spied on us.

What do you think 'Umar did? He dropped the charges (drinking and such), and all the offenses that may have taken place at the party could not result in any punishment. This story also covers the rights in the sixth amendment of a speedy trial, confrontation of the accuser and also not admitting the evidence, which is collected illegally.

Fifth Amendment: Trial: وإذا حكمتم بين الناس فاحكموا بالعدل "if you shall be the judge among people, be just". Many details of this subject in the US constitution differ from the details in Shari'a, as one would expect. Trial by jury is granted in the 7th amendment, for example, but not offered by

Islam; emphasis was put instead on the impartiality of judges, and the equality of people in the eye of the Law. But the spirit of right to trial, the independence of judges, and importance of witnesses is the same: Courts are charged with making reasonable and not arbitrary rulings, trying to reserve the right of the individual and protect the society.

قال الله تعالى: يا أيها الذين آمنوا إذا جاءكم فاسق بنبأ فتبينوا أن تصيبوا قوماً بجهالة فتصبحوا على ما فعلتم نادمين " الحجرات 6

وقال في سورة يونس 36: وما يتبع أكثرهم إلا ظناً إنَّ الظن لا يغني من الحق شيئاً

The two passages emphasize the need to be certain when passing a judgment and not accept the statement of an untrustworthy witness.

The Sixth and Seventh Amendments: have been covered above

Eighth: Cruel and Unusual Punishment: Simply put: "and if you shall punish, let the punishment be equal to what you have suffered" meaning the punishment should not exceed the crime.

أقول قولي هذا وأستغفر الله

الله أكبر! الله أكبر! الله أكبر! الله أكبر!

الله أكبر من كل كبير وأعظم من كل عظيم نعبده هو الفرد الصمد

الله أكبر! الله أكبر! الله أكبر! الله أكبر!

By embracing the Constitution of the United States as we discussed we are actually embracing our own Islamic values. Of course in the history of Islam as in the history of any nation there are examples of those who upheld the values and the spirit of the Law, and many examples of those who manipulate the text to corrupt the Law and for unworthy gains. And as we see in our

time, the debates on different issues produce those who want to corrupt the Constitution by manipulating its interpretation.

قال رسول الله (ص) : قاض في الجنة وقاضيان في النار : فأما الذي في الجنة فرجل عرف الحق ففضى به , وأما اللذان في النار فرجل عرف الحق فجار في الحكم ورجل قضى على جهل"

“The judges are of three types: one is in Heaven and two are in Hell. The first one knew the truth and judged accordingly; the second knew the truth and went against it; and the third based his judgment on ignorance”

By embracing the Constitution Muslims also shall understand their rights under the Law of the Land and demand that right. We are blessed to live in a country where all citizens are equal in the eye of the law, and where the freedom of religion is guaranteed by the first amendment. We are also blessed in this particular Center to be in our welcoming town and supporting neighbors. And for the last twenty-some years we have tried hard to be also good neighbors. Trust is not a gift but it is earned by hard work of many in this Center.

Now that it became fashionable around the country to oppose building mosques, we have to stand up and defend our rights. But also when some people around the world burn a church or level an assault on a synagogue, being in Pakistan or India or anywhere else, we should in the name of Islam condemn such acts. To those who want to deprive Muslims of their constitutional rights, I'm going to adapt the language of an American activist, in defending the second amendment; the late Charlton Heston gave a speech in the NRA (National Rifle Association) dissociating his organization from those who commit crimes using arms illegally. I think we should similarly defend ourselves as Muslim Americans against any attack on the first amendment. Such an attack comes usually dressed up with attractive slogans emphasizing security and invariably using certain crimes committed around the world to attack Muslims collectively and to attack the religion of Islam itself.

Here is our version of that speech of Carlton Heston:

Tragedy has been and will always be with us. Somewhere right now evil people are planning evil things. All of us will do everything meaningful, everything we can do to prevent it. But each horrible act can't become an axe for opportunist to cleave the very bill of rights that binds us...

America must stop its predictable pattern of reaction, when an isolated terrible event occurs. We, Muslim Americans) are summoned to explain the inexplicable. Why us (why our children)? Because the story needs a villain (so, it is not only Muslims but Islam itself). That is not our role in American society, and we will not be forced to play it. If (someone disagrees), that is his right, and (we) respect that, but we will not relinquish [our right] or be silent about it, or be told do not come here you are not welcome in your own land.

Let us pray:

وقال ربكم ادعوني أستجب لكم

We ask Allah for his blessings in this first day of Eid, and throughout the year. We ask for health and peace. We ask for guidance and enlightenment. We ask Allah to bless our gathering, to unite our hearts, and to strengthen our resolve

اللهم اجمع قلوبنا على حبك وحب من يحبك

اللهم إنا نسألك رضاك والجنة

اللهم بارك لنا فيما أعطيت واصرف عنا شر ما قضيت

وصلى الله على سيدنا محمد النبي الأمي وعلى آله وصحبه وسلم

و الله أكبر الله أكبر