

Was trial tactic out of bounds? (HERALD)

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Imam Mohammad Qatanani stands with his family in front of federal immigration court in Newark to acknowledge his supporters across the street. (FILE PHOTO)

Supporters of Imam Qatanani say quoting Quran in deportation trial is attack on Islam

Supporters of Imam Mohammad Qatanani say they believe a line of questioning used by the prosecution in his deportation case went beyond scrutinizing the Paterson cleric's U.S. visa application to attack Islam.

In an attempt to cast doubt on Qatanani's reputation as a voice of moderation, a federal prosecutor quoted a 2007 sermon by Qatanani in which he referenced verses from the Quran, the Islamic holy book.

Members of Qatanani's Paterson mosque, the Islamic Center of Passaic County, say they believe the prosecutor's citing of the Quran to discredit the imam violates their fundamental right to religious freedom. Nationally, some Muslim advocates and scholars also worry about the tactic.

The invocation of scripture in a legal case also alarms the imam's non-Muslim supporters, some of whom have called on the government to apologize.

"It's what happened during the Spanish inquisition. It's what happened in Nazi Germany," said the Rev. William A. Potter, pastor of St. Luke's Episcopal Church in Hope. "And personally, I find it intolerable happening in Newark, New Jersey."

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- Photo Gallery: The second day of the Paterson imam's deportation hearing

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Qatanani, respected nationally for condemning terrorism after Sept. 11, faces deportation with his family because the government says he failed to disclose a 1993 conviction by an Israeli military court on charges of assisting Hamas. His defense team argues the cleric was never charged and any confession came as a result of torture.

During the second day of the four-day hearing, one of the cleric's character witnesses, Rabbi David Senter of Congregation Beth Shalom in Pompton Lakes, described Qatanani's efforts to bridge differences between their faiths.

Prosecutor Alan Wolf asked Senter if a man who stated that "hypocrites and disbelievers" will be "swiftly punished in the day of judgment" was as peaceful as Senter characterized him.

The passage came from a 2007 sermon by the imam in which he spoke from the Quran. Wolf did not cite the quote's author or provide a context, and it's unclear whether he knew the words were from verses in the Quran.

In response, Senter said that he could quote passages from Jewish and Christian texts that also appeared intolerant. The imam's lawyer objected to the use of the quote. Wolf ended his questioning, and the defense called their next witness.

But the imam and his supporters are still bristling at the line of questioning. Advocates for Qatanani -- who for 12 years has led one of the most influential mosques in New Jersey -- want the Department of Homeland Security to retract its quotation of the Quran.

"You can't imagine this," Qatanani said after the hearing. "This is not the way to love each other, to live with each other."

The Quran is the holy book for Muslims. It is written in Arabic in a series of verses that are nonlinear but are interpreted as signs from God divided into chapters.

In a 2004 case against Imam Fawaz Damra of the Islamic Center of Cleveland, government lawyers used as evidence a video that they alleged depicted Damra raising money for Palestinian militant groups. However, Qatanani's trial focuses on the alleged conviction in Israel, not on his sermons or his use of scripture from the Quran.

Ihsan Bagby, associate professor of Islamic studies at the University of Kentucky, knew of no other legal case against an imam in which the prosecution invoked a sermon based on the Quran as part of his questioning.

"I think this is unprecedented," said Bagby, who is following Qatanani's case.

During the May 10 hearing, Wolf, the prosecutor, asked if Senter knew whether the cleric was a member of Hamas. When the rabbi said no, Wolf then quoted a passage from Qatanani's sermon on Nov. 16, 2007.

An audio recording of the sermon, which was delivered in Arabic and simultaneously translated into English, is available on the mosque's Web site at www.icpc.com.

"Oh Allah, make us among those who have pure hearts and pure intentions," Wolf stated, quoting the sermon. "And our Lord, glory be to him, divide and classify the people into few believers who have righteousness, hypocrites and disbelievers. And he categorized the disbelievers and the hypocrites -- in their hearts there's illness and they will be increased in illness and they will be swiftly punished in the day of judgment. This belief and hypocrisy and sins, its cause is an illness in the heart."

The English translation refers to Chapter 2 of the Quran, known as the Sura Al-Baqarah section, which in part tells of those who claim to follow Islam without fully taking the religion into their hearts. It explains that God will know those who are hypocrites and look unfavorably on them.

When the hearing continued May 12, defense attorney Claudia Slovinsky asked

the prosecutor for a retraction and apology for quoting Qatanani's sermon, arguing that Islam "is in fact on trial here."

Wolf disagreed.

"The question had to do with whether the respondent is religiously tolerant," he said. "To suggest that Islam is on trial is absurd."

Judge Alberto J. Riefkohl said that he was "extremely satisfied with the level of professionalism" of the attorneys and wanted to grant the parties "a certain amount of latitude" in their examination.

After the hearing, Senter drafted a letter expressing his outrage.

"Quoting the Quran out of context in an effort to discredit the imam is frightening," his May 11 letter stated. "As an American, I am embarrassed to see representatives of my government act in this way."

The Department of Homeland Security does not respond to media inquiries about Qatanani's case outside of what it presents at the court. Questions about whether Wolf realized he was examining Quranic verses, not words written by the imam, went unanswered.

Members of the mosque want the government to apologize for citing Qatanani's recitation of the Quran in efforts to discredit the imam. Senter has continued to discuss the case with the members of his congregation.

"I believe this is a civil rights issue," Senter said.

Qatanani's trial resumes June 2, when he will take the stand. Until then, supporters will look to raise additional money for his defense and mobilize the mosque's 1,200 regular members to rally outside the courtroom.

Potter, the pastor from St. Luke's in Hope, said the prosecution's use of the Quran has galvanized his sense of urgency to unite with the imam and his other

non-Muslim supporters.

"For the last four years, (we) have been trying to find something in which we can work together to demonstrate our commitment to interfaith work," Potter said. "It found us in this trial."