

Cain's Incomplete Apology, and Religion in Politics

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After offending Muslims (**and at least one Jew**) last week by **saying localities have the right to ban mosques** because Islam includes the concept of shari'a law, Herman Cain has now **met with Muslim leaders and released an apology**:

...While I stand by my opposition to the interference of shariah law into the American legal system, I remain humble and contrite for any statements I have made that might have caused offense to Muslim Americans and their friends. I am truly sorry for any comments that may have betrayed my commitment to the U.S. Constitution and the freedom of religion guaranteed by it. Muslims, like all Americans, have the right to practice their faith freely and peacefully.

As I expected, we discovered we have much more in common in our values and virtues. In my own life as a black youth growing up in the segregated South, I understand their frustration with stereotypes. Those in attendance, like most Muslim Americans, are peaceful Muslims and patriotic Americans whose good will is often drowned out by the reprehensible actions of jihadists...

Cain's apology is unsatisfactory for two reasons. First, he ought to have stated specifically that he now realizes that localities *do not* have the right to ban mosques, if in fact he has come to that realization. If he has not, and he still believes localities may ban mosques, then his apology for causing offense is utterly hollow. If he has changed his position, then he should say so directly; dodging the specific issue just leaves him looking weaselly. (Speaking of weaselly, see also the phrase "...any comments that *may have* betrayed my commitment to the U.S. Constitution...")

Second, Cain again makes the problematic assertion that shari'a has no right to "interfere" in the American legal system (see the first sentence excerpted above). It is actually quite tricky to pin down what this might mean, and once again a glance at parallel concepts in other American religions is instructive. Does Cain believe that shari'a should be held to a different standard than Jewish halakhah and Catholic canon law? If so, he continues to favor bigotry. Even if this is the case, I can't imagine he'll be up front about it, so let's assume he would say he believes that religious legal systems should all be held to the same standards. How, then, would Herman Cain define interfering, and how precisely would he seek to curb it?

I have emailed the following questions to Herman Cain's campaign:

1. Should shari'a law be held to the same standards or different standards than Jewish halakhah or Catholic canon law?
2. If a Muslim citizen believes shari'a law reflects God's will, and that shari'a prohibits gay marriage, and so votes for a candidate who opposes gay marriage, does that count as "interference"?
3. If a Jewish citizen believes halakhah reflects God's will, and that halakhah

requires a middle ground between the standard pro-life and pro-choice abortion positions, and so votes for a candidate who is centrist on abortion, is that "interference"?

4. If a Christian citizen believes Jesus commanded socialism, and so votes for a socialist candidate, is that "interference"?
5. When anti-slavery Christian pastors preached that God insisted slavery be abolished, was that "interference"?
6. When, in the 1950s and '60s, Archbishop Joseph Rummel of New Orleans threatened pro-segregation Catholic politicians with excommunication, was that "interference"?
7. When, today, pro-life Christian clergy instruct their flocks that God wants the United States to protect unborn life by force of law, is that "interference"?
8. Please provide a clear, *specific* hypothetical example of something that would be "interference": an example for shari'a, for halakhah, and for canon law.

We'll have to see whether or not some campaign staffer sends answers.

(As I mentioned last week, the gold standard for addressing these questions, in my opinion, is Prof. Stephen L. Carter's *God's Name in Vain: The Wrongs and Rights of Religion in Politics*.)