

Letter Seeking Clemency for Terry Williams: A Response to Our Critics

On September 14, 2012, I wrote a letter in support of a Philadelphia man awaiting execution here in Pennsylvania in my capacity as Civil Rights Director and Staff Attorney of CAIR-Philadelphia. However, rather unusually for me, my letter is not an example of legal advocacy. Instead, my letter is based entirely upon religious argument – something I have never done in my legal career.

Undoubtedly, many of you, both Muslim and non-Muslim, will wonder why I did it. After all, according to many Muslim scholars (and many ordinary Muslims), Islam permits imposition of the death penalty as a punishment for murder. Some would even argue that Islam encourages the imposition of the death penalty under certain circumstances.

In truth, Islamic scholars diverge widely on the ethical use of the death penalty in the criminal justice system. Ordinary Muslims diverge to an even greater extent.

Given this divergence, it may be surprising to you that I would chose to write this letter. **But a man's life hangs in the balance. I may not have the power to save his life. But my faith in God, and my duty to my fellow man, compel me to do whatever I can.**

Some of you will question why CAIR-Philadelphia took a stand on this issue since we have no legal obligation to do so. To those critics, I say this:

- As articulated more fully in our letter in support of Terry, our position is consistent with prior messaging from CAIR on the issue of the death penalty and motivated by religious, rather than legal, obligation.

Some of you will question my motive for writing this letter and suggest that CAIR-Philadelphia is motivated by political self-interest to take on this cause. To those critics, I say this:

- Anyone who sees me as just a “Muslim” likely also sees Terry Williams as just a killer. These critics fail to see the full humanity of either of either Terry or myself. I will not defend my own humanity to these critics, but I do implore these critics to see the humanity of Terry Williams. I seek to save Terry's life because I see his full humanity.

Some of you will question whether Terry Williams is a Muslim and whether I am motivated to support Terry because of his religious beliefs. To these people, I say this:

- Though there have been public statements which indicate that Terry has accepted God into his life, there is no reason for CAIR-Philadelphia to believe that Terry is a Muslim. In seeking to save Terry's life, I am not motivated by Terry's religious beliefs, I am motivated by my own. I do not seek to save Terry because *he* is Muslim; I seek to save Terry because *I* am Muslim.

Some of you will see my actions as contrary to “principles of Islamic shariah law” and maintain that CAIR-Philadelphia is a “Muslim organization” based upon “principles of Islam” and, therefore, should not take positions inconsistent with “Islamic law.” To those critics, I say this:

- First, though CAIR-Philadelphia is guided by Islamic principles and values, we are first and foremost a civil rights organization, not a religious organization, and I do not make legal decisions based upon any

interpretation of “Islamic law.” My faith guides all of the decisions I make in my work, as in my life, and I frequently seek direct guidance from God on these matters. However, I make no legal decision based solely upon my faith or my religious beliefs, and strict adherence to “Islamic law” has no effect upon my legal decisions.

- Second, to those of you who do live your lives in accordance with principles of “shariah,” and/or “Islamic law,” you will find that my position in this case is consistent with those principles, as the widow of Terry’s victim has specifically indicated that she does not wish to see Terry executed for the murder of her husband.