

The Mosque At Basking Ridge: A Morality Tale? (Part 5)

by Hugh Fitzgerald



In Basking Ridge, New Jersey, the planning board several years ago rejected the local Islamic Society's building plan for a new mosque. Among the objections were that the mosque's visitors had been undercounted by 50%, that the parking lot attached to the mosque was too small for those visitors, that the mosque would be in the middle of a residential area, and those coming for the daily prayers would cause noise and commotion beginning before sunrise and ending after sunset. The board held a total of 39 hearings, at which the Islamic Society was given every chance to make changes to its plan, to downsize or otherwise modify it, in order to win approval. It never did so. Instead, Mohammad Ali Chaudry, who was the moving force behind the mosque proposal, took the planning board to court, claiming their decision was motivated by anti-Islamic prejudice.

Then Chaudry was joined by the Obama administration's lawyers:

In 2016, the US Justice Department filed its own lawsuit, claiming that the local planning board violated the Islamic Society's rights in rejecting its building plan...The federal government's intervention had a radicalising effect in Liberty Corner. The neighbourhood's enemy was no longer a pushy former mayor; it was President Obama. Then, as if a Justice Department investigation wasn't intrusive enough, private citizens started receiving knocks on their doors from people carrying subpoenas, seeking to probe their email and social media accounts. The Islamic Society's lawyers – members of a prestigious Manhattan firm that was working pro-

bono – wanted to prove that Caratzola was really the commenter “LC”, and that she and her allies were communicating their true attitudes to each other – and to their elected leaders – outside of the public meetings.

*Understandably, though, the private citizens felt threatened by the intrusion. Their complaints attracted the attention of the Thomas More Law Center, which intervened on the behalf of residents seeking to quash the subpoenas, claiming that the demand would have a chilling effect on free speech. On its website, the Law Center decried the “outrageous unconstitutional intimidation”, alongside a heroic photo of Caratzola standing in front of an American flag. “Lori Caratzola,” the caption read. **“Persecuted for opposing the mosque.”***

On 31 December 2016, a federal judge issued a preliminary decision in the Basking Ridge case, finding that the planning board had exercised “unbridled and unconstitutional discretion” in requiring the mosque to have more parking than other houses of worship. Though the case was far from over, it was clear that the law favoured Chaudry. The victory rang hollow, though. Trump had just been elected president, giving a jarring rebuke to liberal values, and placing Muslim-Americans like Chaudry in a newly precarious position.

The constant invocation of Trump, preposterously painted as a menace to innocent Muslims, is absurd. How has Trump’s presidency placed Muslims like Chaudry “in a newly precarious position”?

On a chilly Friday in April last year, still early in Trump’s presidency, I helped Chaudry as he performed his weekly ritual, carrying items from the garage of the old house in Liberty Corner to his gold Toyota SUV. In went eight rolled-up prayer rugs, then the plastic donation boxes, the folding music stand that serves as a lectern, the sound system, the

digital clock, which was synchronised with Mecca, and four decorative mats, which Chaudry uses to slightly sanctify the drab walls of the community centre that the Islamic Society currently uses for its Jumma service. When the SUV, known as the "Mosque Mobile", was full, Chaudry would drive it across town for prayers. "I'm just overwhelmed with everything that is going on," he said as we got in the car. For the past few months, Trump had been fighting to impose his ban on travellers from seven Muslim-majority nations, sparking court confrontations and massive protests.

Trump's name is invoked twice here by the reporter to suggest that sinister anti-Muslim forces have been abroad in the land, and that they somehow conspired to block the mosque at Basking Ridge. But it was Mr. Chaudry who sought a zoning variance, who refused, during 39 public hearings, to accept suggestions from the planning board members as to possible compromises, and who received the services of a powerful law firm – working pro bono – who tried to paint his opponents purely as "Islamophobes."

Despite Trump's election, Chaudry still retained his hope for justice, at least for his congregation. The case was now in the courts, which meant the Justice Department couldn't easily abandon it. The town's government, facing an almost certain legal defeat, was under pressure from its insurance company to settle its lawsuit with the Islamic Society quickly, before a trial.

Throughout the spring and summer of 2017, negotiations dragged on over a settlement, which would include a large damages payment to the Islamic Society. I attended endless meetings of the township's elected committee, at which angry citizens would demand information from stone-faced board members, inveighing against the settlement in increasingly apocalyptic terms. Chaudry attended with other members of the Islamic Society. He sat in the front row but said nothing,

keeping his head down and scribbling in a pad, showing no emotion even in the face of incendiary provocations.

The opponents were a surprisingly diverse lot. There were some old-money Protestants, who complained that the hubbub would bother their horses. But some of the most emotional speakers were new residents, many of them immigrants from south and east Asia. At one meeting, one of the Islamic Society's closest neighbours, a medical professional from India who was building a large house directly behind the mosque plot, stood up and addressed the Muslims in the audience directly.

"If you are somehow able to get a mosque built, you will create a divide which you will not be able to bridge," he said. "On the other hand, if the site would move to another appropriate location, you will earn our respect, and you will truly earn the right to build a mosque in this town. What is it that you want, to just build a mosque, or set an example for the whole country?"

Are these the words of someone who is against a mosque? No. They are the words of someone who is against a mosque being built in this particular spot, in a residential area, on a plot of land deemed too small for the likely number of cars that would be driven by worshippers, and not just on Fridays but every day, and not just in the middle of the day but very early, before sunrise, and very late, after sunset, as many Muslims would come for at least some of their five daily prayers.

"It wouldn't be fair to say, though, that everyone who spoke against the mosque was religiously motivated. Many, if not most, of the adversaries appeared to be genuinely impassioned in their opposition to development in Liberty Corner. "Sure, there's a 5% lunatic fringe," Paul Zubulake told me one evening while sitting on a bench outside the town hall,

waiting for yet another meeting to begin. **But he said that for him, and many others, religion was beside the point: "It's about our quality of life. It's going to destroy our community."**

To show me what he loved about Liberty Corner, Zubalake invited me to visit his home, a few doors down from the Islamic Society property. When I arrived, on a rainy Memorial Day in late May, a soggy town parade was making its way down the main thoroughfare, Church Street. As Zubulake was introducing me to his family – explaining that his son has autism, and they had moved to the area for his schooling – he spotted the mayor marching by with other members of the township committee. He dashed down to the roadside and shouted: "There's still time!" [to stop the mosque.]

The politicians frowned and kept marching down Church Street. "I just want them to know how pissed off I am," Zubulake said.

Chaudry, meanwhile, had organised a contingent from the Islamic Society to march in the Memorial Day parade. They met in front of the house, next to a sign that Chaudry had staked in the yard, reading: "Proud to Be An American." Whether by chance or intention, the parade's organisers had put the Islamic Society at the very rear, right behind another marginalised group, the local Democrats. Chaudry coaxed the children who were marching with the Islamic Society's banner to stay in a tight formation. "Good morning!" he called from beneath a big black umbrella, waving an American flag with his free hand. The parade route ended at a war memorial, where Chaudry left a wreath with a mosque insignia.

"My advice to the community has always been that this is not the time to hide," Chard told me later. "You have to be out there, fighting for your rights."

The "local Democrats" are not a "marginalized group."

Remember: Basking Ridge went for Hillary Clinton. But nothing will stop this reporter from finding hints of anti-Muslim feeling when there is none.

And "fighting for your rights" is fine, but Chaudry has been "out there" fighting not for his legitimate rights but demanding his mosque project be given preferential treatment by the planning board. And his lawyers have been keen to deprive his opponents of exercising their free speech rights, by depicting them as bigots. Fortunately, not all were silenced.