Mackenzie Briefing Notes

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Just Say 'No' to Sharia Law

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Introduction

Over the past 20 years, Muslim immigrants have arrived inside the Western World en masse. The majority moved here for the usual reason – to seek a better life for themselves and their children -- but some brought a very different agenda. The terrorism that has so captured Western public attention is but an adjunct to a wider political movement that seeks to transform Western society and to make Islam the world's dominant religion.

Separation of legitimate immigrants from activists is not easy, but there is one issue that can be readily spotted and provides our society with a simple prescription for our defence. Muslim activists have campaigned hard for recognition of Sharia Law as a supplemental or alternative measure for their co-religionists living here.

This is a 'Trojan Horse' issue and is seldom an innocent suggestion.

Rather than allowing any recognition of Sharia Law as an exercise in multicultural diversity and tolerance, Western legislators and the judiciary would do well to adamantly refuse any recognition of it whatsoever.

Other countries are considering banning Sharia Law, and there is real merit to the idea.

The Islamic Immigration Conundrum

"Islam isn't in America to be equal to any other faith, but to become dominant. The Koran, the Muslim book of scripture, should be the highest authority in America, and Islam the only accepted religion on earth..."

- Omar Ahmad; Chairman, Council on American Islamic Relations; July 1998

No religion is simply a matter of belief, most people tend to see the religion they were born into (or, in some cases, adopt) as an integral part of their identity. Also, if left to their own devices, people often 'cherry pick' what practices they observe as they live their own lives and try to get on with the neighbours. Yet even lapsed Catholics and the most liberal Jews will feel aggrieved if they sense their religion is being insulted. There are Muslims who will feel insulted by this paper; however, no personal insult is intended to any person of genuine good will.

By the end of the supposed "Golden Age" of Islam, 350 years after Mohammed's death in 632 AD, most of the judicial opinions and the *Hadith* (sayings and beliefs ascribed to Mohammed) which define orthodox Islam had been written. The *Hadith* also had the effect of firmly shackling the Arabian ethos of the 7th to 9th Centuries onto Islam. Tolerance for Jews and Christians under Muslim rule in the early centuries faded away and, since then, Islam has only known pressures towards more orthodox practices with no major movements in the opposite direction.

Rooted in the *Quran* and buttressed by the *Hadith*, Sharia Law was finalized before 1000 AD as the instrument of Islamic orthodoxy. It is a religious law meant to be imposed upon Muslims and non-Muslims alike.

Among the 70 different ethno-cultural groups around the World who are Muslim peoples, most have – or revert to – unorthodox Muslim practices that originated from their own history and pre-Muslim cultures. However, in the last 40 years the combination of oil money, extremist zeal and modern communications and transportation has resulted in an unceasing pressure towards orthodox conformity. Many young Muslims today would do well to ask their grandparents about what practices they observed before the Wahhabi Dawa and similar movements got to work in the 1970s.

A society that makes a habit out of welcoming immigrants had best be tolerant. By and large, this is true of the Netherlands and England; both countries accepted large refugee inputs for some 400 years starting with Jews and French Huguenots in the 16th Century. Australia, Canada and the United States are built upon immigration.

However, for the first time in centuries, those countries that make a practice of accepting immigrants are running into a problem that has not been encountered before. Our long experience is that everybody can be assimilated into a larger society without necessarily losing their ethnic identity, but for once it does not seem to be working.

We are encountering a group that shows many signs of being unusually slow to assimilate. Moreover, the Wahhabi Dawa, Tablighi Jamaat and the Khomenists are making immigrant-receiving nations contend with a counter-influence that seeks to actively prevent assimilation: this is a first and no Western nation knows how to deal with it.

The results have been worst in Europe so far: There are whole enclaves of cities in Belgium, Germany, France and the UK which are populated by Muslims alone that have become 'no

go' areas for police and non-Muslims, and, where the legal authority of the host state does not intrude. Hundreds of terrorism plots, increasingly carried out by 'home-growns', have been hatched inside the tolerant immigration-built societies of the Old and New Worlds. Young Muslims, many born and raised here, are often attracted to militant Islam, are being recruited and indoctrinated here and have often prepared truly vicious attacks before being arrested.

Like all immigration-based societies, Post-war Canada has welcomed all who have come here and the vast majority of people from all nations who have made Canada their new home have settled in well enough. Very few Muslims came here until the first large group of South Asian Muslims arrived in the early 1970s as refugees from persecution in Idi Amin's Uganda and many of these were Nizari Ismaili Muslims who are followers of the Aga Khan.

Ismailis place a high stress on cooperating with their neighbours and working to better the broader community. They have integrated well in Canada. While the Ismaili sect is famous for its assassin cult of some 800 years ago, today's 18 million Ismailis seem entirely free of the taint of Islamic terrorism and much else besides. Their daughters sometimes marry outside of Islam without being declared as apostates (and therefore liable to death under Sharia Law), and many Ismailis are quite relaxed about which Islamic requirements they choose to observe.

The second major Muslim immigrant wave into Canada consisted of Iranians who fled the 1979 Islamic Revolution and many of them easily settled into Canadian life.

There is a long tradition among Iranians of sneering at the Arab cultural mores welded to Islam and many long episodes of secularism dot Iranian history. However, Ismailis and secularist Iranians are extremely liberal by Muslim standards.

So, the Western immigrant-receiving nations don't have problems with all Muslims – there are Muslims who fit perfectly well inside our societies. We don't have problems with Arabs and have been able to assimilate Christian Arabs easily enough.

However, there have been problems with some Muslims from outside of the Arab Middle East, such as militants from Pakistan and Central Asia. Canada and other immigrant-based societies seem to have few problems with Lebanese Maronites and Egyptian Copts, or with Sephardic/Mizrahic Jews who came via Israel after being evicted from their Middle Eastern homes after 1948.

What we do have is the potential for problems with Muslims who practice the regular version of their faith along with their youth, many of whom have the potential to adopt a militant interpretation of their religion and often do so with little warning. What confirms this is that we also have problems with converts. About 10-15% of those arrested for involvement in Islamic terrorism inside Western Europe and North America have been converts to Islam:

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¹ See "The 751 No-Go Areas of France"; Daniel Pipes; <u>www.danielpipes.org</u> -- Entry updated as of January 16th, 2010.

they were not born into the religion. Plainly, the problem is not so much of a religion as of an ideology... but at its core, Islam is a religion <u>and</u> an ideology.

Islam is More Than just a Religion

"It would be incorrect to describe Islam as primarily, let alone solely a religion. Since its early beginning in Mohammad's life time, it's also been a geopolitical project and a system of government. A political ideology if you will."

- Serge Trifkovic; Foreign Affairs editor, Chronicles

Bertrand Russell observed in 1919 that Christianity and Buddhism were religions for individuals where faith guided one's actions but did not dictate them, while Islam and Marxism were collectivist faiths with which every aspect of behaviour could be regulated.

Christ differentiated between what was God and what was Caesar's – separating the material from the eternal, where Buddha taught that the material world was irrelevant. In Islam, Caesar is subject to God and must do his bidding, leading the entire community of the faithful.

Buddhists and Christian clergy learned to stay out of the courtroom. The law was best separated from religion, albeit guided at a remove by religious principles. In Islam, the roles of clergyman and judge are united. Both Saudi Arabia and Iran, the two most religious Islamic countries, reject all Western models of jurisprudence and law. Islamic Fundamentalists insist that the only law Muslims should be subject to is religious law.

Their faith and the laws they must answer to bracket most people's daily lives, how they undertake business, deal with their families, and live in their communities. In Islam, the two 'bookends' come from the same source, and cannot be differentiated.

Sharia Law takes primacy over all other laws

- "Allah and His Messenger dissolve obligations."
- Ouran 9:3
- "The very concept of human rights is a Judeo-Christian invention and inadmissible in Islam."
- Said Raja'I Khorassani, Iranian Delegate to the UN, 1985
- "A Muslim must try his best to abide by the rulings of Sharia whenever possible as much as he can. He should not allow himself to be liable to those western laws that contradict the clear-cut Islamic rulings."
- Imam Omar Shanin; July 10, 2010; President North American Imans Federation

Most Muslims outside of the Middle East (and many within) have often lived happily enough under other legal codes, particularly as a result of the European Colonial Era. However, the Wahhabi movement arising out of Saudi Arabia and Arab nationalism (as led first and since by the Muslim Brotherhood) that emerged in the 1920's influenced each other. Both agree on the saliency of Sharia Law over all other legal codes.

One of the underpinnings of both the Wahhabi sect and the Muslim Brotherhood is a latent Arab chauvinism that regards Islam as their contribution to the World. In the years immediately after Mohammed's death in 632 AD, as the Arabs forcibly converted everyone they could reach, their cultural mores and habits were firmly shackled on the new religion by the *Hadith*. These religious writings are second to the Quran and reflect the belief that since Mohammed was from the Arabian Peninsula, Arabian culture now had a religious superiority. Compare this to Christianity, which rapidly spread after the Apostles decided to separate their brand new faith from conventional Jewish practices, or Buddhism which is long divorced from its roots in Hindu India.

The Bible contains the word of God, but nobody says God wrote it. In Islam, Mohammed was taking dictation. The Christian *Bible* and the *Tripitaka* of Buddhist canonical writing are translated into many languages. Since Mohammed took dictation in the argot of 6th Century Arabia, this is a holy tongue and no translation has the authority of the original. Christians and Buddhists can read their sacred texts in any language. To truly understand the *Quran*, Muslims must be able to master a 14 century old dialect... although most don't.

Since Sharia laws are directly traceable to Mohammed and the dictation he took, they have an unshakeable primacy and no other law can be allowed to trump them.

Islam's Aggressive Instincts

- "So fight them until there is no more Fitnah [disbelief among non-Muslims and dissenting interpretations of Islam] and all submit to the religion of Allah alone (in the whole world)."
- Quran 8:39

"He it is Who has sent his Messenger with the guidance and the Religion of Truth [Islam] that He may cause it to prevail over all other religions and Allah suffices as a sufficient witness. Muhammad is the Prophet of Allah. Those who are with him are severe with Infidel unbelievers."

- Quran 48:28

Buddha was a wealthy prince who turned away from a life of luxury to seek enlightenment as an impoverished mendicant. Christ was a carpenter who went willingly to his own execution. Neither used lethal violence or encouraged it. Mohammed, by comparison, can be found in the *Quran* mocking the mutilated bodies of dead enemies, ordering the assassination of critics, enacting and violating sacred truces, and generally participating in rapine and looting – after receiving the divine message.

When Buddhists and Christians used their religions to justify violence, they were usually soundly criticized by their co-religionists for violating the tenets of their faith. Most Muslims, like most people everywhere, generally prefer to be peaceful. However, numerous interpretations of the *Quran* and *Hadith* encourage Muslims to be aggressive towards non-believers.

It took several centuries for the first followers of Buddha or Christ to resort to war. With Islam, the followers of Mohammed went conquering in all directions immediately.

A Christian or Buddhist who elects to become violent does so in violation of example and religious teaching. A Muslim who refuses invitations to become violent is also violating example and religious teaching. With examples like this, history is rife with Islamic aggressiveness in all directions.

There are Muslim sects (such as the Ahmadis of Pakistan and India) who view Jihad purely as an internal struggle against one's own flaws and who are seen as heretics for doing so. Most Islamic commentary on Jihad concerns rules of warfare and subversion rather than wrestling with one's conscience and vices.

Sharia Law is the instrument of cultural genocide

"Fight those who (Jews and Christians) believe not in God and the Last Day and do not forbid what God and His Messenger have forbidden – such men as practice not the religion of truth, being of those who have been given the Book – until they pay the tribute out of hand and have been humbled."

- Quran 9:29

Within a decade of Mohammed's death in 632 AD, his followers had conquered Syria, Palestine and Egypt, were subjugating Byzantine Mesopotamia and Libya and had started their conquest of Persia. A century after Mohammed's death they were invading Southern France, spilling into the Caucasus and Central Asia.

Mohammed had referred to Christians and Jews as 'People of the Book' and the first Caliphs treated them as *Dhimmi*; if they didn't convert to Islam they got to live as second class citizens. Others, like Pagans, Buddhists in Central Asia and adherents of the Ancient Zoroastrian religion of Persia, were given the immediate choice of death, enslavement or conversion.

The same choices exist today for those who come under Islamic rule and are not Christians or Jews, with the difference now being that a wide school of Islamic thought holds that most Westerners are now too secularized to be protected. Contemporary Muslim preachers look forward to the day that the rest of us are subjected to Dhimmi status.

Dhimmi status is an instrument of cultural genocide. Under Sharia Law, as second class citizens, Christians and Jews may not:

- Build new churches and temples;
- Live in a higher house than a Muslim (that is, they can't look down on them);
- Dress better than a Muslim;
- Own weapons and hence must be disarmed. For the privilege of being protected by Muslims, they must pay a special tax called the *Jizya*.
- Testify against a Muslim in court;
- Marry a Muslim woman. Of course, Muslims are free to marry Dhimmi daughters and sisters and so convert them.

The results are obvious. For centuries after the conquests, Muslims were the minority in their own lands, but they had all the advantages of force and law. Centuries later still, the Christians of the entire Middle East have become a minority everywhere after centuries of discrimination. The same would be the same of Jews of the Middle East, except over 800,000 were robbed and forced out of their homes across the Islamic world after the creation of Israel.

Islamic Triumphalism is real

"The only reward for those who war against Allah and his messengers and strive to commit mischief on the earth is that they will be slain or crucified, have their alternate hands and feet cut off, or be banished from the land."

- Quran 5:33

"Slay them wherever you find them and drive them out from whence they drove you out for persecution is worse than slaughter and fight them until the persecution is no more and religion is for Allah.

- Quran 2.191

In contrast to virtually all of the other great religions of the world, particularly Buddhism and Christianity, Islam has a built-in impulse for expansion and conquest. Buddhist martyrs took their own lives in protest against some injustice; and Christian martyrs accepted torture and death rather than give up their faith. By contrast, Islamic martyrs are those who die carrying-out violence against non-believers

In the last few centuries, particularly after the failure of the 1683 attempt to conquer Vienna, the Islamic World has lost its ability to spread through war. As Bernard Lewis points out in *What Went Wrong*, one result of the defeat of the Turkish Caliphate was the Wahhabi revival and a new impulse to enforce Arabian standards of religious conformity of the rest of Islam although this really only became truly possible with the arrival of oil wealth. However, the temperament among Wahhabis, Salafists, Khomenists and others is for holy war – they yearn for it.

In the historic narrative of Islam, Mohammed is the last messenger of God and there will be no others; ergo, it is the people of Mohammed – the Muslims and particularly the Arabs – who will bring the faith to a triumph.

At the end of the First World War, Arab nationalism was rekindled with the birth of the Wahhabi Kingdom of Saudi Arabia which then wrestled Mecca away in 1924 from the Hashemite family who had long guarded it. Another feature was the birth of Arab Nationalism in the Muslim Brotherhood in Egypt in 1928. The Salafist movement was also covering a wide area and saw the Arab World's best hope was in a return to traditional values.

The next few decades gave a long tutorial in methods of subversion and insurrection, courtesy of the Soviets and the European Fascist movements, and provided a new incentive to hate the West with the birth of Israel. It is another aspect of Islam that what has once been Muslim territory must always be so and the creation of a state for a despised group of Dhimmi still rankles. The hatred of Israel is for the idea of the state, not for anything it may have done to the Palestinian Arabs – they're just an excuse.

Sayyid Qutb, the Egyptian writer who remains one of the strongest influences on the Muslim Brotherhood, was the first to articulate a strategy of subversion in his writings. He also rejuvenated the idea of the Jihad as a clash between the Islamic World and the West. Some of the leaders of al Qaeda as well as the Brotherhood were his students before his death in 1966. Qutb is also partly responsible for the contemporary refocus on Sharia law as the instrument for Islamic revival.

Sharia Law is the means of control over all Islamic communities

"Muhammad bin Maslamah said, 'O Messenger, we shall have to tell lies.' 'Say what you like,' Muhammad replied. 'You are absolved, free to say whatever you must.'" - Ishaq: 365 Tabari, VII:94

In the Post War World, immigration from Islamic nations into the Western world has accelerated. There have been three inter-related drivers for this:

- 1) Prosperity and urbanization brings declining birthrates in all cultures where women have a modicum of freedom; the threat of a growing labour shortage manifested first in Western Europe, but is now widespread;
- 2) Arab economists writing for UN Human Development Reports have pointed out that the Arab world has been slow to grow economically, remaining stagnant and underdeveloped despite oil wealth. However its birth rates remain among the highest in the world and their societies are unable to accommodate the growing numbers.
- 3) The hypersensitive post-modernist liberalism of the Western World in the last few decades has inhibited any candid discussion of critical issues and warnings since the 1970s about unchecked Islamic immigration have been ignored.

The vast majority of Muslims who have flooded in have been motivated by the simple desire of most immigrants throughout history which is to seek better opportunities for themselves and their children. However, for the Jihad movement, the growing numbers of Muslims represent an opportunity: They don't see immigrant communities, they see colonies.

The Wahhabi Dawa movements from Saudi Arabia, Tablighi Jamaat from South Asia, the Muslim Brotherhood, Khomenists and their ilk from Iran, have all striven to impose their views and will on their immigrant communities. For example, normally new communities in immigrant communities make enormous efforts to build their own temples and churches – and these become a point of maturing pride. However, in the Muslim communities, gigantic new Mosques are being built with offshore money or through front organizations of the Dawa and Muslim Brotherhood.

Similar influences are at work in community centres, schools, universities, and mosques where the activists of the Islamic World work to keep the young (who often find it particularly hard to reconcile their Muslim background with the new society they live in) off balance and unable to acclimatize themselves.

Most Muslims can't read the Quran for themselves and tend to uncritically accept its contents from those who claim to be educated and trained in the religion (a common situation in any semi-literate Medieval Europe too). This leaves older Muslims at a disadvantage when trying to challenge the teachings of radicalized activists and leaves the young to accept their message without being exposed to a dissenting view.

The pattern of the Front organizations of the Muslim Brotherhood and the Dawa movement were utterly exposed in the 2001-2008 Holy Land Foundation Trials in the United States – particularly with Government exhibit 3-85.pdf, which was a 1991 Memorandum of Understanding between various Islamic Front Groups in the United States. The trial, and subsequent practices elsewhere, illustrate the saliency of Sharia Law and its importance to Islamic Fronts.

There is the famous children's story that originates --oddly enough -- in the Arab World about an Arab in his tent on a cold night in the desert, and his camel which is outside. The camel thrusts the tip of his nose inside the tent and pleads with the Arab, saying "Master, it's so cold out here, can I just stick my nose in and warm it?" The Arab consents, but shortly afterwards the camel makes the plea that he let his entire head inside the tent. Consent is granted again... Anyway, the end result is that the Arab spends the night shivering out in the cold and the camel rests inside the snug tent.

It is no accident that the fronts for the Muslim Brotherhood and the Dawa movement have worked hard to get Sharia law included inside the system of Western law. It is no accident that they continue to push for diversions of civil cases to Sharia law and for the creation of institutionalized Islamic practice inside the Justice system.

Sharia Law is Utterly Incompatible with Ours

"Allah directs you in regard of your Children's (inheritance): to the male, a portion equal to that of two females.... These are settled portions ordained by Allah."

- Quran 4:11

In the US, there have been dozens of cases in the past decade where Muslim women and children have applied to American courts to protect their rights to equal protection and due process from Sharia law. They wanted equity in divorce cases, protection from abuse by their husbands and/or parents and from the risk of assault or death for refusing arranged marriages or for trying to convert to other faiths.

In Ontario, in 2005, there was a similar push to get Sharia Law as a diversionary system in the Province's courts, in much the same way that Jewish and Catholic canon law used to function. However, after a well-publicized protest led by a trio of high-powered Muslim women; the bid was rejected. Unfortunately, the baby got thrown out with the bath water and the Jewish and Catholic provisions were also disbarred (a mistake, given that Rabbis and Priests required a university degree, seminary/rabbinical training, and some sociology training).

But Homa Arjomand, Irshad Manji, and Hirsi Ali had valid reasons to warn residents of Ontario about Sharia Law. For Muslim women, Sharia law means – for a start:

- A woman is never equal to a man.
- A woman's testimony in the court of law is worth one-half that of a man.
- A woman must provide four witnesses to substantiate her claim of being raped.
- A man can divorce his wife by simply saying to her, "I divorce you," three times.
- A divorced woman automatically forfeits her rights to her children.
- Husbands are entitled to punish their wives corporally, and rape is legal.

Sharia Law is not just a threat to a women: Under the full system of Sharia Law:

- There is no freedom of religion. Islam fundamentally refuses to accept religious equality.
- There is no freedom of speech. Criticism of Islam is illegal.
- There is no freedom of thought.
- There is no freedom of artistic expression.
- There is no freedom of the press.
- There is no equality of people before the law. A non-Muslim (ie a Kafir) is never equal to a Muslim, just as a woman cannot be equal to a man.
- Apostates who leave the faith can be killed.
- There is no democracy, since democracy means that a non-Muslim is equal to a Muslim
- Western Constitutions, Charters and Bills of Rights, and Law Books are man-made document of ignorance—*jahiliyah* -- that must submit to Sharia.
- Non-Muslims are *Dhimmi*, second-class citizens.

- Sharia law tolerates honour killings.
- Sharia law allows for slavery and concubinage.

To sum up, Sharia Law is utterly incompatible with our laws, our concepts of individual rights and our respect for the individual. Sharia Law is the antithesis of most of the foundations of our society.

This is not an area for compromise. Proponents of Sharia Law – as Mohammed himself pointed out – view compromise as a short term expedient on the path to domination and victory. In the same way that nobody can be just a little bit pregnant or partially dead, admitting some elements of Sharia Law to any place inside our legal system is a nonsensical compromise.

A Compromise?

Our problems lie with Islam as a collective. Individually, there are tens of millions of Muslims who would make perfectly fine citizens inside the Western World. The question is how to separate the wheat from the chaff?

There is an easy solution. During the Cold War, the Soviet Union's defecting artists, athletes, scientists and intellectuals came to the West and our confused traitors went to the Soviet Union. We can take the liberals, refuseniks and dissidents of the Muslim World who have open minds and who are eager to explore a wider universe – and we can give them the gift of being free to practice their religion as they choose to with the same caveats that Buddhists, Catholics, Hindus, Jews, the Orthodox Churches, Protestants, Secular Humanists, Sikhs, Taoists and everyone else must abide by. Believe what you want but do not break the common laws.

If there is real worth to Islam, then it will survive on its own merits. If not, it won't. Moreover, no religion's real worth can be truly tested till it has to compete on a level playing field. Anyone who is truly convinced his religion is the greatest of them all should be glad to see his faith take on such a challenge.

This would not discriminate against Muslims; all they have to do is abide by the same conventions that the rest of us must observe – and have no Sharia Law at all. There are many Muslims who would be glad to live here under those conditions.

In Great Britain, a bill was introduced in the House of Lords by Baroness Cox, June 7, 2011, to outlaw Sharia Law where it conflicts with English law. Various American states are enacting similar legislation and there are growing campaigns against Sharia Law throughout much of Western Europe and Australia.

An outright ban on Sharia Law would not be discriminatory towards Arabs and the people of the Middle East. Heck, we'll take all the Christian Arabs they've still got. We'd take their

Jews too, but the Arab nations sent theirs away decades ago. We would be glad to accept their remaining Yezidis, Bahai's and whatnot... we like religious diversity and it works well for us.

However, a blanket policy of no Sharia Law anywhere in Canada means no Khomenists, no Wahhabis and no members of the Muslim Brotherhood or Tablighi Jamaat. If they want to insist that they cannot practice their religion without Sharia Law, then let them be free to practice it back in their home countries; We will take the people who are looking for a more natural expression of freedom, the same as we always have.

For Further Reading

Center for Security Policy Occasional Paper; *Sharia Law and American State Courts*; May 18th 2011; Washington, DC.

Robert Spencer; *The Politically Incorrect Guide to Islam (and the Crusades)*; 2005; Regnery Publishing, Washington DC.

Bill Warner; Sharia Law for the Non-Muslim; Center for the Study of Political Islam, 2010.

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The Mackenzie Institute

The Institute was formed in 1986 to provide research and comment on such diverse subjects as terrorism, organized crime, political extremism, propaganda, conflict and other such matters. It does not shy away from controversy.

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