

## Analyzing Petition “e”-411 (Islam) - A Letter to All Canadian Members of Parliament

Dear Members of Parliament,

First off, thank you for your service as Members of Parliament. I know that your dedicated work on behalf of your constituents in the Chamber, in committee, in Caucus and back at home in your constituency offices is both difficult and draining. These efforts are central to the securement of a Canadian project that seeks to preserve, protect and defend the hard-won individual rights and freedoms of all Canadians. These liberties include the right to freely express themselves and participate in the shaping of their communities, provinces and country without fear of reprimand - thank you for your valuable services in advancing such a noble notion.

Given the importance of your work and its impact on the ability of everyday Canadians to live their lives freely, I was surprised that not one of you chose to critically engage against the 26 October, 2016 "E" petition that called for the sanction of speech critical to Islam and/ or Muslims. In doing so you signaled agreement with the assertion that such speech could be regarded as hateful even as the term "Islamophobia" was introduced into the lexicon of the Federal Government with little or no discussion of its meaning or origin. I believe your acquiescence in this vote may have served to curtail the fundamental right of Canadians to express themselves freely in the face of a burgeoning, overriding right that seeks to shelter a designated group from criticism. I'm sure you would agree that supplanting an individual's Charter Right to free speech, in favour of the concerns of a collective, is a serious matter deserving serious consideration. I would like to offer you my considered opinion on the matter but, before I do, here is the petition you apparently agreed to:

### ***Petition to the House of Commons***

*Whereas:*

- *Islam is a religion of over 1.5 billion people worldwide. Since its founding more than 1400 years ago, Muslims have contributed, and continue to contribute, to the positive development of human civilization. This encompasses all areas of human endeavors including the arts, culture, science, medicine, literature, and much more;*
- *Recently an infinitesimally small number of extremist individuals have conducted terrorist activities while claiming to speak for the religion of Islam. Their actions have been used as a pretext for a notable rise of anti-Muslim sentiments in Canada; and*
- *These violent individuals do not reflect in any way the values or the teachings of the religion of Islam. In fact, they misrepresent the religion. We categorically reject all their activities. They in no way represent the religion, the beliefs and the desire of Muslims to co-exist in peace with all peoples of the world.*

*We, the undersigned, **Citizens and residents of Canada**, call upon the **House of Commons** to join us in recognizing that extremist individuals do not represent the religion of Islam, and in condemning all forms of Islamophobia.*

The petition was initiated by Samer Majzoub, President of the Canadian Muslim Forum (CMF), and sponsored by his Pierrefonds-Dollard Member of Parliament, Frank Baylis. From my own standpoint, I noted there was little in the way of public discussion of this petition. Indeed, it seems it progressed "under the radar" before it was approved in a unanimous fashion. Frankly, the whole effort calls into question the rigor of the examination process involved. I believe the assumptions and motivations that underlie the petition escaped a rigorous review and I offer my own analysis for your information and consideration. For myself, I have been active in national security matters for most of my working life. These activities include a 29 year military career followed consecutively by 20 years of civil aviation flight

operations heavily steeped in security concerns. My first career encompassed post-Cold War era combat duties as a fighter squadron deputy commander in the Middle Eastern theatre of operations. My second career involved published efforts to reconfigure the Canadian civil aviation security matrix within Air Canada and the federal government at-large. In all of my security-related efforts, I have sought to first understand the threat we face by studying the operational doctrine and motivations of our stated enemies as they themselves live and tell it. This process was known in Western military intelligence circles as “Intelligence Preparation of the Battlefield”<sup>1</sup>. The process is simple enough, in its explanation of threat development, to be used to train entry level military intelligence officers while being of sufficient rigor to facilitate the transition of these same officers to the operational field.

This approach to threat identification and development was the order of the day when I participated in Cold War operations on the European Central Front in the 80’s and in combat as a fighter pilot during the first Persian Gulf War of 1990-91. Its use, however, has fallen by the wayside during the ongoing “War on Terror” under heavy pressure by Islamist groups - both in the United States and Canada. In the former case, the purging of any connection between Islam and terrorism was in evidence as indicated by an “October 19, 2011 letter from Farhana Khera of Muslim Advocates to John Brennan, who was then the Assistant to the President on National Security for Homeland Security and Counter Terrorism, and is now head of the CIA”<sup>2</sup>. This letter culminated in the formalization of an entrenched U.S. government policy that “ensures that all too many jihadists simply cannot be identified as risks”<sup>3</sup>. In truth, this policy was well underway as early as 2008 as indicated by a word frequency analysis conducted by Stephen Coughlin in his video presentation “The Organization of Islamic Cooperation and its Role in Enforcing Islamic Law”. This analysis revealed that words such as jihad, Islam, Sharia and Muslim had been totally removed from the FBI Counter-Terrorism Lexicon as early as 2008<sup>4</sup>. This same policy is in evidence in Canada and has led the Canadian Senate Committee for National Security and Defence to remark that “It is important that the Government communicate directly with Canadians about terrorist threats. The committee is concerned that some federal security statements have resorted to terminology that obscures material information about sources and trends in terrorism. The 2014 Public Report on the Terrorist Threat to Canada, for example, which represents a prime means of enlightening Canadians about terror threats, was purged of language that would identify the specific religious political or ideological motivations claimed by today’s international terror-perpetrators.”<sup>5</sup> Given this self-censorship within both the American and Canadian security milieus, it is easy to see how a one-sided presentation of the “E” petition under discussion could meet muster with parliamentarians lacking a fuller context and awareness of the situation at hand. Regardless, here is my unconstrained and considered analysis of the “E” petition on a premise-by-premise and resolution basis.

*Whereas:*

- *Islam is a religion of over 1.5 billion people worldwide. Since its founding more than 1400 years ago, Muslims have contributed, and continue to contribute, to the positive development of human civilization. This encompasses all areas of human endeavors including the arts, culture, science, medicine, literature, and much more;*

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<sup>1</sup> U.S. Army, Field Manual (FM) 34-130, *Intelligence Preparation of the Battlefield* (Washington, DC: Department of the Army, 08 July 1994).

<sup>2</sup> Spenser, Robert, “President Trump – Now What?”, Truth Revolt, 10 Nov, 2016, available on world wide web at <http://www.truthrevolt.org/commentary/spencer-president-trump-now-what#.WCsMIe3iNg.mailto>

<sup>3</sup> Ibid

<sup>4</sup> Coughlin, Stephen, video presentation “The Organization of Islamic Cooperation and its Role in Enforcing Islamic Law”, 13 July, 2012, available on the world wide web at <https://www.youtube.com/watch?v=Ey-TRpkUiPI>

<sup>5</sup> Canadian Senate Committee for National Security and Defence Report, “Countering the Terrorist Threat in Canada: an Interim Report”, 2015, P10, available on the world wide web at <http://www.parl.gc.ca/Content/SEN/Committee/412/secd/rep/rep18jul15-e.pdf>

This first premise of the “E” petition presents us with, at best, a “hasty generalization” that projects a progressive, but limited, period in Islam’s history to be the case throughout the entirety of its 1400 year existence. At worst, it speaks to a popularized “Golden Age” narrative that some authorities label as false. In speaking to this latter case, Dr. Serge Trifkovic claims that the list of intellectual achievements attained during the so-called “Islamic golden age” were not achieved “by reason of Islam but in spite of Islam. Moslems overran societies (Persian, Greek, Egyptian, Byzantine, Syrian, Jewish) that possessed intellectual sophistication in their own right and failed to completely destroy their cultures.”<sup>6</sup> This considered thesis aside, let us analyze the charitable proposition that Islam did nurture a “Golden Age”.

Assuming that Islam did make major contributions to the human condition, as noted in the petition, scholars propose it would have occurred over the period of some 400 years between the 8<sup>th</sup> and 13<sup>th</sup> centuries AD. This time period saw the rule of the third, Abbasid Caliphate and the possible introduction of a more progressive form of Islamic interpretive protocols. Previous caliphates, particularly the first Rashidun (Rightly Guided) Caliphate, stressed a need to hold fast to the strictures of the Koran and the life example and sayings of Islam’s prophet, Mohammad. After all, the four Caliphs of the Rashidun period were all “companions” of the prophet while he was alive. Subsequent to the death of Mohammad, however, Islam expanded rapidly with the control of his sayings, deeds and traditions, known as Hadiths, diffused through an ever increasing number of scholars. Accordingly, the resolution and verification of these hadiths is seen to have moved beyond the ability to “discuss the issues at hand, reason them through, and come to a consensus”<sup>7</sup> at a localized level as was would have been the case when Mohammad was alive. This would have forced the collection of Hadiths by Islamic scholars, such as al-Bukhari, with a mind to discerning which were authentic and useable as legal precepts within a body of law which would come to be known as Sharia.

Subsequent to the Rashidun period, and with dedicated support by the Persian-orientated Abbasid Caliphs, this process of discernment or “Ijtihad” was seen to be carried out by exercising an increasingly progressive process that used “critical thinking and independent judgement”<sup>8</sup>. Indeed, the very nature of the Koran became open to questioning in this period as progressive Mu’tazilites posited that this holy book was “created and so God’s purpose for man must be interpreted through reason”<sup>9</sup>. This proclivity for openness manifested itself in a movement that saw “the translation of almost all the scientific works of the classical Greeks into Arabic”<sup>10</sup> even as these efforts to upload and distribute the Greek corpus were commented on by Arabic thinkers who, it is postulated, made “original contributions, both through writing and methodical experimentation, in such fields as philosophy, astronomy, medicine, chemistry, geography, physics, optics, and mathematics”<sup>11</sup>. Hence the establishment of a “Golden Age” amenable to the use of reason to pursue science and truth both within and beyond the Islamic empire.

Working against the Mu’tazilite philosophy during this same period was that of the Arab-orientated Ash’arites. This more traditional contingent believed “the Koran to be coeval with God — and therefore

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<sup>6</sup> Trifkovic, Serge, “The Golden Age of Islam is a Myth”, *Frontpagemag.com*, 15 November, 2002, available on the world wide web at <http://archive.frontpagemag.com/readArticle.aspx?ARTID=21117>

<sup>7</sup> Rhode, Harold, “Can Muslims open the Gates of Ijtihad?”, *Gatestone Institute*, 15 June, 2012, available on the world wide web at <https://www.gatestoneinstitute.org/3114/muslims-ijtihad>

<sup>8</sup> Ibid

<sup>9</sup> Ofek, Hillel, “Why the Arabic World Turned Away from Science”, *The New Atlantis*, Winter 2011 edition, available on the world wide web at <http://www.thenewatlantis.com/publications/why-the-arabic-world-turned-away-from-science>

<sup>10</sup> Ibid

<sup>11</sup> Ibid

unchallengeable”<sup>12</sup>. At the core of this assertion was the idea of “occasionalism, a doctrine that denies natural causality”<sup>13</sup> and replaces cause-and-effect reasoning with the belief that “the world is a series of discrete physical events each willed by God”<sup>14</sup>. The most influential of the Ash’arites was al-Ghazali. He saw reason as the enemy of religion as it taught “assuming necessity in nature, philosophy was incompatible with Islamic teaching, which recognizes that nature is entirely subject to God’s will”<sup>15</sup>. This fundamental premise was reinforced by a decision, by Islamic authorities, to “close the Gates of Ijtihad”<sup>16</sup> towards the end of the 11<sup>th</sup> century. This move curtailed further, reason-based interpretation of Islam’s holy texts and persists as the dominant strain of thought within Islam today. With the closing of these “Gates”, Sharia Law has remained frozen in time and “it is unlikely that the Muslim world will be able to...again become a center of science and creativity as it used to be in the early centuries of Islam”<sup>17</sup>. Here we see the advent of a “Golden Age” that ended over time and has long receded into the past.

Whereas:

- *Recently an infinitesimally small number of extremist individuals have conducted terrorist activities while claiming to speak for the religion of Islam. Their actions have been used as a pretext for a notable rise of anti-Muslim sentiments in Canada; and*

The second and third premises of the “E” petition suffer from the logic error of exaggeration. While there is good reason to believe that most Muslims have little interest in pursuing or supporting terrorist aims, it would be disingenuous to state that the number that do are “infinitesimally” small. Pew research, for example, puts such numbers, in certain nations, at significant levels. Indeed, in a few countries “a quarter or more of Muslims say that these acts of violence are at least sometimes justified, including 40% in the Palestinian territories, 39% in Afghanistan, 29% in Egypt and 26% in Bangladesh”<sup>18</sup>. Closer to home and given Canada’s stated policy to vastly increase the numbers of refugees it brings in from the Syrian conflict, fully “13% of Syrian refugees have positive feelings towards the Islamic State terrorist group.”<sup>19</sup> More than these disturbing and documented inclinations, the violence committed by those who declare the religion of Islam to be their prime motivating factor is broadcast daily to Canadians through social media inputs from organizations such as the Islamic State and al-Qaeda. Surely, Canadians are justified in thinking that the threat posed by tens of thousands of self-identified, Islamic fighters<sup>20</sup> is much more than “infinitesimally small” – particularly when it is Canadians themselves that are travelling to and from the Middle East in support of the Islamic State (IS) and its terrorist operations<sup>21</sup>.

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<sup>12</sup> Ibid

<sup>13</sup> Ibid

<sup>14</sup> Ibid

<sup>15</sup> Ibid

<sup>16</sup> Rhode, Harold, “Can Muslims open the Gates of Ijtihad?”, Gatestone Institute, 15 June, 2012, available on the world wide web at <https://www.gatestoneinstitute.org/3114/muslims-ijtihad>

<sup>17</sup> Ibid

<sup>18</sup> Lipka, Michael, “Muslims and Islam: Key findings in the U.S. and around the world”, Pew Research Center Fact Tank, 22 July, 2016, available on the world wide web at <http://www.pewresearch.org/fact-tank/2016/07/22/muslims-and-islam-key-findings-in-the-u-s-and-around-the-world/>

<sup>19</sup> Mauro, Ryan, “13 Percent of Syrian Refugees Support ISIS: Poll”, Clarion Project, 01 November, 2015 available on the world-wide web at <http://www.clarionproject.org/analysis/13-percent-syrian-refugees-support-isis-poll#>

<sup>20</sup> Gartenstein-Ross, Daveed, “How Many Fighters does the Islamic State Really Have?”, War on the Rocks, Available on the world wide web at <http://warontherocks.com/2015/02/how-many-fighters-does-the-islamic-state-really-have/>

<sup>21</sup> Tasker, John Paul, “More Canadians travelling abroad to join ISIS, other terrorist groups, report says”, CBC News, 25 August, 2016, available on the world wide web at <http://www.cbc.ca/news/politics/terrorism-threat-report-1.3735434>

The second point of exaggeration in this portion of the “E” petition relates to the “notable rise of anti-Muslim sentiments in Canada”. This assertion stands in opposition to research conducted by Statistics Canada that has indicated that “between 2012 and 2013, the number of police-reported hate crime incidents targeting Arab and West Asian and South Asian populations declined nationally”<sup>22</sup>. Indeed, it is interesting to note that this same report saw the incidence of hate crimes against the Canadian Jewish population to be approximately nine times higher than that against the Canadian Muslim population (54.9 v. 6.2 hate crimes per 100,000 individuals reporting being Jewish or Muslim respectively<sup>23</sup>). Given this data, along with the known fact that a worrisome number of reported attacks have been proven to be hoaxes<sup>24</sup>, it would be more accurate to state that the incidence of hate crimes against Muslims in Canada is not increasing at a “notable” rate. Indeed, one might wonder how it is that all Members of Parliament can see fit to recognize this notion when a far higher incidence of demonstrated bias is being visited upon the country’s Jewish community.

*Whereas:*

- *These violent individuals do not reflect in any way the values or the teachings of the religion of Islam. In fact, they misrepresent the religion. We categorically reject all their activities. They in no way represent the religion, the beliefs and the desire of Muslims to co-exist in peace with all peoples of the world.*

The statement that Islam is being misrepresented by “violent individuals” who malign the religion’s message of peace and co-existence stands in stark contrast to what these individuals say of their own mission. These individuals, established in groups such as Al-Qaeda, the Islamic State, Boko Haram and al-Shabaab, to name a few, see themselves as holy warriors engaged in Jihad. Accordingly, they justify their actions by linking them to the dictates of written Islamic doctrine as drawn from the troika of Islamic canons in the form of the Koran, the Hadiths and the Sharia. The latter, as noted earlier in this paper, is a legal code that details a way of life that has been closed to further interpretation since the closing of the Gates of Ijtihad in the 11<sup>th</sup> century AD. The question now becomes - just how close do the actions of terrorist organizations, like the Islamic State, track with accepted Islamic doctrine as laid down in Sharia Law?

An authoritative manual that provides a concise summation of the Islamic jurisprudence known as Sharia is found in the *Reliance of the Traveller*<sup>25</sup>. This classical work was composed in the 14<sup>th</sup> century AD and, even given its age, “is by no means an irrelevant or outdated document. Certificates of authenticity attest to the translation from the governments of Egypt, Syria, and Saudi Arabia— and the text is the first Islamic legal work in a European language to receive certification from the most important seat of Sunni Islamic jurisprudence, Cairo’s al-Azhar University”<sup>26</sup>. Indeed, Al-Azhar University, on its website, has certified the English translation of this currently valid text of published Islamic law as corresponding to the original Arabic edition and to be in conformance with “the practice

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<sup>22</sup> Allen, Mary, “Police-reported hate crime in Canada, 2013”, Stats Canada Report, 30 November, 2015, available on the world wide web at <http://www.statcan.gc.ca/pub/85-002-x/2015001/article/14191-eng.htm#a18>

<sup>23</sup> Ibid

<sup>24</sup> “Fake Claims of Hate Crimes by Prime Minister and Public Safety Minister”, Terrorism and Security Experts of Canada, 27 August, 2016, available on the world wide web at <http://tsecnetwork.ca/2016/08/27/fake-claims-of-hate-crimes-by-prime-minister-and-public-safety-minister/>

<sup>25</sup> Keller, Sheik Nuh Ha Mim, *Reliance of the Traveller: A Classic Manual of Sacred Islamic Law*, Beltsville, Maryland, Amana Publications, 1991, available on the world wide web at <https://www.thereligionofpeace.com/quran/the-reliance-of-the-traveller.pdf>

<sup>26</sup> Kedar, Mordechai and Yerushalmi, David, “What they are reading: an analysis of seven texts advocating violent jihad in American mosques (Reliance of the Traveller)”, *Mapping Sharia*, , summer, 2011, available on the world wide web at [http://mappingsharia.com/?page\\_id=79](http://mappingsharia.com/?page_id=79)

and faith of the orthodox Sunni community”<sup>27</sup>. In addition and of critical importance in the Canadian context, the book itself carries an endorsement from the Muslim Brotherhood-linked International Institute of Islamic Thought (IIIT) and Fiqh Council of North America (FCNA). Both the IIIT and the Fiqh Council are known Muslim Brotherhood entities with the Fiqh Council being a subordinate element of the Islamic Society of North America (ISNA)<sup>28</sup>. Additionally and under that IIIT letterhead, *Reliance of the Traveller* was also approved by the Islamic Fiqh Academy at Jeddah. This latter relationship brings with it Saudi Arabia's endorsement along with that of the Organization of Islamic Cooperation (OIC) as the academy is a subordinate entity of the OIC<sup>29</sup>. The OIC speaks for all Islamic nations and is the world's second largest intergovernmental organization - second only to the United Nations. The importance of the OIC will be discussed later in this letter but, for now, it is important to note that the leadership of Muslim Brotherhood organizations in North America, as evidenced by the case of Taha Jaber al-Alwani,<sup>30</sup> have been active in supporting terrorist organizations, such as the Palestinian Islamic Jihad (PIJ), in accordance with *Reliance's* “rendering of Sharia”<sup>31</sup>. This is notable from a Canadian perspective given the influence that Muslim Brotherhood front organizations have at all levels of the Canadian political arena. Indeed, in Canada the Brotherhood has “the ability to create the political, social and cultural spaces for extremism to flourish.”<sup>32</sup> Here we begin to see the powerful presumption that all players in the Islamic world, from state actors, to the lead Islamic center of learning, to the Muslim Brotherhood in North America, to terrorist organizations such as PIJ, recognize *Reliance of the Traveller* as authoritative.

The *Reliance of the Traveller* impacts the great majority of the world's Muslims as it is seen as providing an authentic rendering of Islamic doctrine for the Sunni line of Islam – a line that comprises approximately 85% of all Muslims worldwide. Additionally, although the book specifically addresses one of Sunni Islam's four schools of Islamic law, the Shafi'ite school, it is significant to note that all four schools agree on “approximately 75 percent of their legal conclusions, while the remaining questions, variances within a single family of explainers of the Holy Koran and prophetic sunna, are traceable to methodological differences in understanding or authentication of the primary textual evidence”<sup>33</sup>. The *Reliance of the Traveller*, truly, can be seen to be an authoritative guide on how the great majority of orthodox Muslims should live their lives. This is what the book has to say on jihad, apostasy, slavery and the treatment of non-Muslims. Let's see how close these pronouncements are to the modus operandi of the “violent individuals” referred to in the “E” petition.

In the case of jihad, the *Reliance of the Traveller* has a whole sub-section on the issue (annotated as O9.0) located within the “Justice” section of the document. It defines jihad as “war against non-Muslims, and is etymologically derived from the word mujahada signifying warfare to establish the

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<sup>27</sup> Ibid

<sup>28</sup> U.S. v Holy Land Foundation Government exhibit 003-0085, “An Explanatory Memorandum: on the General Strategic Goal for the Group in North America”, 22 May, 1991, available on the world wide web at <https://www.investigativeproject.org/documents/misc/20.pdf>

<sup>29</sup> Islamopedia Online, “International Islamic Fiqh Academy”, available on the world wide web at <http://www.islamopediaonline.org/websites-institutions/international-islamic-fiqh-academy-jeddah-sa>

<sup>30</sup> Shideler, Kyle, “Islamization of Knowledge: al-Alwani's Islamic Thought Laid Groundwork for Muslim Brotherhood in America”, Counter Jihad, 01 July, 2016, available on the world wide web at <http://counterjihad.com/islamization-knowledge-al-alwanis-islamic-thought-laid-groundwork-muslim-brotherhood-america>

<sup>31</sup> Ibid

<sup>32</sup> Quiggin, Thomas, “The Muslim Brotherhood in Canada: Civilizational Jihad”, The MacKenzie Institute: Security Matters, 30 November, 2015, available on the world wide web at <http://mackenzieinstitute.com/muslim-brotherhood-canada-civilization-jihad-2/>

<sup>33</sup> Kedar, Mordechai and Yerushalmi, David, “What they are reading: an analysis of seven texts advocating violent jihad in American mosques (Reliance of the Traveller)”, Mapping Sharia, , summer, 2011, available on the world wide web at [http://mappingsharia.com/?page\\_id=79](http://mappingsharia.com/?page_id=79)

religion. And it is the lesser jihad. As for the greater jihad, it is spiritual warfare against the lower self (nafs), which is why the Prophet (Allah bless him and give him peace) said as he was returning from jihad. 'We have returned from the lesser jihad to the greater jihad.'<sup>34</sup> It is interesting to note that war against non-Muslims is considered the "lesser" of two jihads with the greater being an individual's spiritual struggle. It is also noteworthy that it seems the lesser needs to be addressed before the greater can be considered. In sub-section O9.3 we see that jihad is a personal responsibility when the community is under threat in that "Jihad is also (O: personally) obligatory for everyone (O: able to perform it, male or female, old or young) when the enemy has surrounded the Muslims"<sup>35</sup>. Lest there be any doubt, the *Reliance of the Traveller* details that the objective of jihad is to kill, convert or subjugate "people of the book" in that "Jews, Christians, and Zoroastrians be fought until they become Muslim or else pay the non-Muslim poll tax (O: in accordance with the word of Allah Most High)."<sup>36</sup> All others, however, cannot be afforded sanctuary within the Muslim community as "The caliph fights all other peoples until they become Muslim (O: because they are not a people with a Book, nor honored as such, and are not permitted to settle with paying the poll tax (jizya)".<sup>37</sup> It would seem that, given the nature of jihad as promulgated in the Sharia as detailed in the *Reliance*, "violent individuals" have a case when they state that they are fighting jihad against non-Muslims in accordance with religious dictates.

The *Reliance of the Traveller* is clear on how apostasy from Islam is dealt with. Sub-section O8.1 declares that "when a person who has reached puberty and is sane voluntarily apostatizes from Islam, he deserves to be killed."<sup>38</sup> In accordance with the Sharia, an apostate is "someone raised among Muslims who denies the obligatoriness of the prayer, zakat, fasting Ramadan, the pilgrimage, or the unlawfulness of wine and adultery, or denies something else upon which there is scholarly consensus (ijma', def:b7)" (F1.3).<sup>39</sup> It is this understanding that sustains the professed inclination of certain Islamic factions to attack and kill non-Muslims, and even Muslims, for their perceived unfaithfulness. The concept of Muslims accusing other Muslims of infidelity to Islam is a heightened form of apostasy known as "takfir". As detailed by Khalid bin Muhammad al-Anbari in his book "Ruling by Other than What Allah Revealed: The Fundamentals of Takfir", it is seen to occur when "a person is aware of all that Allah and his Messenger informed him, and he trusts that all which the believers accept is true, but he dislikes it and it angers him, and he is dissatisfied, so he does not act in accordance with it, nor desire to."<sup>40</sup> Takfirism arises out of the Hanbali school of Islamic jurisprudence and was largely formulated by the 13<sup>th</sup> century Hanbali imam Ibn Taymiya. The teachings of Muhammad bin Abdul Wahhab in the 18<sup>th</sup> century are nested within Taymiyan concepts of Takfir and "reside at the heart of the Saudi establishment"<sup>41</sup> in the form of Wahhabism. Accordingly, we see that death for apostasy has very real doctrinal foundations within Islam - even to the point that it is accommodated within the legal framework of major Middle-eastern countries in the form of Saudi Arabia and Pakistan with the latter featuring a Wahhabi-like Deobandi influence. Indeed, Saudi Arabia has gone to extensive lengths to spread the Wahhabi strain of Islam throughout the world since 1979 by spending "\$4 billion per year on mosques, madrassas,

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<sup>34</sup> Keller, Sheik Nuh Ha Mim, *Reliance of the Traveler: A Classic Manual of Sacred Islamic Law*, Beltsville, Maryland, Amana Publications, 1991, available on the world wide web at <https://www.thereligionofpeace.com/quran/the-reliance-of-the-traveller.pdf>

<sup>35</sup> Ibid

<sup>36</sup> Ibid

<sup>37</sup> Ibid

<sup>38</sup> Ibid

<sup>39</sup> Ibid

<sup>40</sup> Coughlin, Stephen, *Catastrophic Failure: Blindfolding America in the Face of Jihad*, Washington D.C., Center for Security Policy Press, 2015

<sup>41</sup> Schwartz, Stephen, *The Two faces of Islam: Saudi Fundamentalism and its Role in Terrorism*, New York: Anchor Books, 2003, xii.

preachers, students, and textbooks to spread the Wahhabi creed over the next decades.”<sup>42</sup> Surely, when one considers Wahhabism, it is a misrepresentation to say that “the religion, the beliefs and the desire of Muslims to co-exist in peace with all peoples of the world” is evident throughout the Islamic landscape.

In the matter of dealing with captives as slaves as posited by a variety of terrorist groups such as the Islamic State, the *Reliance of the Traveller* is quite specific in dealing with both female and male captives in sub-sections O9.13 and 14 respectively. In the former, woman and children become slaves by the “fact of the capture”<sup>43</sup> even to affecting a woman’s previous marriage which becomes “immediately annulled”.<sup>44</sup> In the Koranic sense, their captors possess these woman “by their right hand” and “will not be blamed for whatever license they take”<sup>45</sup>. In the case of the latter, a male captive can be killed, enslaved, released or ransomed as the Caliph sees fit. It is apparent that slavery, even sex slavery in the case of woman captives, is accommodated by Islamic doctrine just as the Islamic State asserts<sup>46</sup>.

Regards the treatment of non-Muslims, Islamic doctrine divides the world into two separate realms known as Dar al-Islam and Dar al-harb; the world of Islam and the world of war respectively. The former is a house of peace inhabited and controlled by Muslims and governed under Islamic law. The latter is the “world of the infidel and the region of perpetual warfare”<sup>47</sup>. Non-Muslims who inhabit Dar al-harb are designated as “harbi” that Islamic law defines as “enemy person, person from the territory of war”. Non-Muslims who inhabit Dar al-harb, therefore, can be regarded as enemies whose treatment is in accordance with a “continuous process of warfare, psychological and political if not strictly military”<sup>48</sup> as defined in Sharia. As for those non-Muslims residing in an Islamic state, the *Reliance of the Traveller* dedicates the whole of sub-section O11 to how “people of the book” need to be treated. This discriminatory treatment includes following the rules of Islam in public (O11.3), paying the non-Muslim poll tax (O11.4), distinguishing oneself from Muslims in dress and, amongst many other restrictions, abstaining from displaying pork or wine, ringing church bells or displaying crosses (O11.5)<sup>49</sup>. Islamic doctrine is clear in differentiating the treatment of non-Muslims from Muslims in Dar al-Islam. This reality can even be seen in Western nations that host large Muslim communities. In many cases Dar al-Islam has been declared within the host nation itself with the imposition of Sharia Law at the expense of sovereign rules and regulations.<sup>50</sup>

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<sup>42</sup> Choksy, Carol and Choksy, Jamsheed, “The Saudi Connection: Wahhabism and Global Jihad”, World Affairs, May/ June, 2015, available on the world wide web at <http://www.worldaffairsjournal.org/article/saudi-connection-wahhabism-and-global-jihad>

<sup>43</sup> Keller, Sheik Nuh Ha Mim, *Reliance of the Traveler: A Classic Manual of Sacred Islamic Law*, Beltsville, Maryland, Amana Publications, 1991, available on the world wide web at <https://www.thereligionofpeace.com/quran/the-reliance-of-the-traveller.pdf>

<sup>44</sup> Ibid

<sup>45</sup> Coughlin, Stephen, *Catastrophic Failure: Blindfolding America in the Face of Jihad*, Washington D.C., Center for Security Policy Press, 2015

<sup>46</sup> Landy, Jonathan and Strobel, Warren and Stewart, Phil, “Islamic State ruling aims to settle who can have sex with female slaves”, Reuters, 29 December, 2015, available on the world wide web at <http://www.reuters.com/article/usa-islamic-state-sexslaves-idUSKBN0UC0DZ20151229>

<sup>47</sup> Coughlin, Stephen, *Catastrophic Failure: Blindfolding America in the Face of Jihad*, Washington D.C., Center for Security Policy Press, 2015

<sup>48</sup> Ibid

<sup>49</sup> Keller, Sheik Nuh Ha Mim, *Reliance of the Traveler: A Classic Manual of Sacred Islamic Law*, Beltsville, Maryland, Amana Publications, 1991, available on the world wide web at <https://www.thereligionofpeace.com/quran/the-reliance-of-the-traveller.pdf>

<sup>50</sup> Soeren, Kern, “Europe: ‘You Are Entering a Sharia Controlled Zone’: Hezbollah Pitches Tent in Denmark”, 24 October, 2011, available on the world wide web at <https://www.gatestoneinstitute.org/2530/denmark-sharia-hezbollah>

*We, the undersigned, **Citizens and residents of Canada**, call upon the **House of Commons** to join us in recognizing that extremist individuals do not represent the religion of Islam, and in condemning all forms of Islamophobia.*

The last sentence of the “E” petition re-states the premise that it is “extremist individuals”, rather than accepted Islamic doctrine, that drive acts of terrorism. As argued above, there is good reason to believe that authoritative and widely accepted Islamic doctrine, as detailed in the Sharia, plays a major role in informing acts of terrorism. Indeed, terrorist groups that perpetrate such violence are clear and unequivocal in justifying these atrocities in the name of formal and divine guidance afforded by the Sharia. The acceptance of the charge that “extremist individuals” are to blame needs to be thought through in light of the facts presented by Islamic doctrine. Failing to do so risks missing the drivers of the threat we face and failing to initiate remedial courses of action capable of success. Most certainly, blindly acceding to the narrative that Islam is a “religion of peace” is dangerous and needs to be revisited. In this same “E” petition sentence, the use of the term “Islamophobia” generates many questions worthy of discussion. What does it mean? Where does it come from? Who uses the term and to what purpose?

Islamophobia is a fairly new term defined as a “hatred or fear of Muslims or of their politics or culture”<sup>51</sup>. It came into general use in the 2005 time period even as the Organization of Islamic Conference (now known as the Organization of Islamic Cooperation) “began to assemble capability and infrastructure to leverage all aspects of the information domain to the objective of making Islamic speech codes an enforceable international legal standard”<sup>52</sup>. These speech codes, again, are part and parcel of Sharia in the form of slander law that criminalizes any speech “concerning a person that he would dislike, whether about his body, religion, everyday life, self, disposition, property, son, father, wife, servant, turban, garment, gait, movements, smiling, dissoluteness, frowning, cheerfulness, or anything else connected with him. (R2.2)”<sup>53</sup>. To this end, the OIC initiated a ten-year action program dedicated to “combatting Islamophobia” by emphasizing “the responsibility of the international community, including all governments, to ensure respect for all religions and combat their defamation...have the United Nations adopt an international resolution to counter Islamophobia and call upon all states to enact laws to counter it, including deterrent punishment”<sup>54</sup>. Here we see the heads of all 57 member states of the Organization of Islamic Cooperation (so renamed in 2011) using “real state power to implement real (and expressed) state action in furtherance of real (and expressed) state objectives”<sup>55</sup>. To these ends, the OIC was successful in securing the passage of United Nations Human Rights Council Resolution 16/18 in July, 2011. This resolution flowed from the Cairo Declaration on Human Rights in Islam that was formulated by the same OIC in 1990. This Declaration, in Articles 24 and 25, established the frame of reference for human rights as Sharia and determined that “there is no right that can contravene or lie outside of Sharia”<sup>56</sup>. It is here we begin to see that “Islamophobia” is inextricably linked, through the United Nations Human Rights Council Resolution 16/18, to Islamic

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<sup>51</sup> Collins English Dictionary - Complete & Unabridged 2012 Digital Edition, “Islamophobia”, William Collins Sons & Co. Ltd., accessed November, 2016, available on the world wide web at <http://www.dictionary.com/browse/islamophobia#>

<sup>52</sup> Coughlin, Stephen, *Catastrophic Failure: Blindfolding America in the Face of Jihad*, Washington D.C., Center for Security Policy Press, 2015

<sup>53</sup> Keller, Sheik Nuh Ha Mim, *Reliance of the Traveler: A Classic Manual of Sacred Islamic Law*, Beltsville, Maryland, Amana Publications, 1991, available on the world wide web at <https://www.thereligionofpeace.com/quran/the-reliance-of-the-traveller.pdf>

<sup>54</sup> Coughlin, Stephen, *Catastrophic Failure: Blindfolding America in the Face of Jihad*, Washington D.C., Center for Security Policy Press, 2015

<sup>55</sup> Ibid

<sup>56</sup> Ibid

slander and defamation laws that criminalize the criticism of Islam and are antithetical to the Western democratic concept of free speech.

It needs to be noted that the Organization of Islamic Cooperation is not the only international entity that seeks to sanction criticism of all things Islamic. It has a very powerful ally in the form of the international Muslim Brotherhood whose stated objective is “installing Sharia as the law of the land worldwide, culminating in an Islamic State, or Caliphate, governed by Islamic law.”<sup>57</sup> The Brotherhood is extremely active and influential in both American and Canadian political circles by virtue of a number of affiliated front groups. In Canada, a major Brotherhood umbrella group is found in the Muslim Association of Canada (MAC) which “openly states its support for the founder of the Muslim Brotherhood, Hassan al-Banna”<sup>58</sup>. It is interesting to note that the Canadian Muslim Forum (CMF) is “an integral part of the Muslim Brotherhood infrastructure in Quebec”<sup>59</sup>.

At this point the question needs to be asked - was the “E” petition calling for “the condemning of all forms of Islamophobia” really about countering hate speech? It seems that a case can be made that the initiative was more about confounding the right of Canadians to speak freely and potentially criticize the introduction of Islamic jurisprudential systems that are antithetical to the nation’s interests as an ongoing, free and democratic society. This observation emboldens another question I have for all of you – would you have acceded to the “E” petition had you known it may lay the foundation for legislation that prioritizes Islamic defamation/ slander/ blasphemy laws over those engrained in our Canadian system of laws? This question is with you now by virtue of a second motion tabled in Parliament by Iqra Khalid, Member of Parliament from Mississauga Erin-Mills, on 01 December, 2016. This motion called for the Standing Committee on Canadian Heritage to take note of the original “Islamophobia” “E” petition and produce related findings and recommendations within 240 calendar days of the latter motion’s acceptance<sup>60</sup>. It is not far-fetched to assume that the Committee’s efforts could result in a recommendation that sees the development of enabling legislation. Such legislation presents the very real risk of throwing the baby out with the bath water by unnecessarily curtailing the fundamental right to “free speech” so that the sensibilities of a specialized collective might be accommodated. The suppression of Canadian free speech rights in favour of protecting all things Islamic from fair comment in the marketplace of ideas must be resisted. Accordingly, I call upon all of you to roundly denounce the “Islamophobia” initiatives and related motions as antithetical to Canadian values and the protection of related rights and freedoms. When called upon on behalf of your constituents, please vote for free speech even as you consider the following counter-petition as you make your decision:

- Whereas Section 1 of The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it “subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society”; and

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<sup>57</sup> Ibid

<sup>58</sup> Quiggin, Tom, “The Muslim Brotherhood in Canada: Civilizational Jihad”, 30 November, 2015, available on the world wide web at <http://mackenzieinstitute.com/muslim-brotherhood-canada-civilization-jihad-2/>

<sup>59</sup> Pointe de Bascule article, “Obfuscating the Islamist Threat – Profile of the Canadian Muslim Lawyers Association”, 07 October, 2015, available on the world wide web at <http://pointdebasculecanada.ca/obfuscating-the-islamist-threat-profile-of-the-canadian-muslim-lawyers-association/>

<sup>60</sup> “Liberal MP Iqra Khalid tables second anti-Islamophobia motion”, CIJ News, 09 December, 2016, available on the world wide web at <http://en.cijnews.com/?p=71307>

- Whereas Section 2.(b) of the Canadian Charter of Rights and Freedoms guarantees “the freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication” as a fundamental right; and
- Whereas Section 15.(1) of the Canadian Charter of Rights and Freedoms guarantees that “every individual”, not belief system or ideology, “is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.”; and
- Whereas many good Canadian men and women have fought and died to preserve and project a Canadian value system that embodies these and other Canadian Charter freedoms; and
- Whereas Islam is inextricably bound up by a widely accepted and authoritative legal code in the form of Sharia Law and such law does not merit the imposition of “reasonable limits” to curtail the fundamental Charter right of Canadians to speak freely; and
- Whereas Sharia Law harbours many Islamic principles and doctrines that are antithetical to Canadian values and is used by terrorist organizations, such as the Islamic State and al-Shabaab, to justify holy war against non-Muslims and Muslims alike; and
- Whereas some Canadians have chosen, and continue to choose, to support such terrorist organizations by fighting jihad on their behalf both at home and abroad against Canadian national security interests and personnel;
- Be it resolved that it is in the public interest to allow all Canadians to freely discuss and make fair comment on all aspects of Islam through all forms of communication as they would any other religious belief system, political enterprise or legal code without fear of recrimination and/or persecution by “hate speech” laws: and
- Be it further resolved that all Canadian Members of Parliament roundly denounce the “Islamophobia” initiatives and related motions as antithetical to Canadian values and vote them down on behalf of their Canadian constituents and their inherent and fundamental right to free speech.

Thanks for your consideration in this matter.

P.S. If you wish to view and sign this petition on line please proceed to:

<http://www.ipetitions.com/petition/protecting-canadian-free-speech-rights-from> .

Best Regards,

Major (Ret'd) Russ Cooper