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Who decides what we will tolerate and what we won't?

Like most Canadians, I know little about the Muslim legal system called "sharia," but from what we hear about places like Nigeria, Sudan, Afghanistan and East Timor where it is fully enforced, I don't like it.

All Muslim law is based on the teachings of Muhammad. An equivalent would be to base Canadian law on the detailed contents of the Bible. Under sharia, there is no separation of religion and state.

Recent reports that sharia law will soon be incorporated into the Canadian legal system should concern us.

In some countries, sharia requires women to stay indoors, or walk around together wearing tents so no one can see them. A right to abortion? There are places where women would settle for the right to drive.

In some countries, women get lashed or stoned to death for adultery, and infant girls have their genitals mutilated to deprive them of sexual enjoyment later in life. Free speech? Christian missionaries are expelled or executed for evangelizing, and Muslims for renouncing Islam.

The extent to which these enchanting cultural values will be enforceable under Canadian law we are about to find out.

The Law Times legal journal reported in its November 25 edi-

tion that on October 21 a legal conference of Muslims in Etobicoke, Ontario elected a 30-member council. The council will establish a judicial tribunal to be known as the Islamic Institute of Civil Justice (Canada). And the IICJ will dispense Muslim justice under the Ontario Arbitration Act.

The assembled Muslims (one of whom was actually a woman) heard that under recent amendments, the rulings of an arbitrator can no longer be appealed to the courts. Civil law decisions by the new Muslim arbitration tribunal will therefore be final.

Provincial arbitration statutes allow parties in a civil dispute to choose a mutually acceptable government-licensed arbitrator, instead of suing in court and spending their life's savings on lawyers.

The obvious danger of a sharia arbitration system is that it will not really be voluntary. A Muslim man or woman who opts for a secular court instead of the local kangaroo arbitrator would be expelled from the Muslim community.

On the other hand, if Canada is to be "multicultural," how can we deny Muslim citizens the right to a Muslim arbitrator?

This would appear to be a dilemma.

However, it shouldn't be. Arbitrators should be required to apply

Canadian legal principles and values, not imported ones. That way, a Muslim could still be an arbitrator, and Muslims could still go to him for justice. But his decision would have to rest on Canadian judicial principles, or the arbitrator would be delicensed and the loser given recourse to the courts.

This country is getting genuinely weird. In the cause of tolerance we let Muslims establish their intolerant legal system within our own, while we hound people like Regina MP Larry Spencer out of public life for being intolerant because he spoke the truth.

There is nothing "hateful" about saying, as Spencer did, that there has been a gay political agenda in this country for the past four decades, that governments at all levels are now promoting it, that courts are openly sympathetic to it, and that activity-related diseases shorten the average life-span of homosexuals. These are facts.

If we want to be free, we must tolerate the truth, and our own legal principles and traditions.

- Link Byfield

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