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Islamophobe Michael Coren is at it again



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On a recent episode of the Michael Coren Show, host Michael Coren expressed dire warnings about Sharia law encroaching on secular states throughout the English - speaking world, in the wake of the United Kingdom government's decision to allow the Muslim Arbitration Tribunal to make use of Sharia family law to settle disputes. Although not new, limited adoption of Sharia is controversial.

In September 2008, newspapers in the United Kingdom stated the government had "quietly sanctioned" the recognition of Sharia courts. This refers to situations where both sides in a legal dispute freely choose a Sharia court as a binding arbitrator rather than taking a matter before the official courts. The decision did not break new ground: the decisions of similar Jewish Beth din court arbitrations have been recognized in England for over 100 years.

However, this did not stop Mr. Coren from sounding the alarm bells.

"Sharia principles are to become enshrined in the British legal system for the first time in history with the Law Society of the United Kingdom publishing guidelines for drawing up documents according to Islamic laws, which would include non-believers and encroach on women's rights. These new guidelines will for example allow lawyers to draw Islamic wills which will have the power to exclude some believers completely and deny women an equal share of an inheritance."

Mr. Coren asked his audience to think about this because "what begins in Britain can influence other nations, particularly English-speaking nations - especially countries with a British legal precedent and a commonwealth tradition. In other word there's a good chance it will come to Canada and activists are already trying to push for it."

Mr. Coren said that in countries where Sharia is central people live in an oppressive, dark, backward society.

"In countries where Sharia exists but is not central, people live in controlled, central and often horribly intolerant societies and, Sharia exists in every Muslim country from one degree to another."

A 2013 survey based on the opinion of 38,000 individuals by the Pew Forum on Religion and Public Life found that support for making Sharia the official law of the land varies significantly among Muslims in different countries. Only a minority of Muslims across Central Asia and Southern and Eastern Europe want Sharia to be the official law of the land; among the surveyed countries outside of these regions, Lebanon, Chad, Guinea-Bissau and Tanzania also have a majority against the introduction of official Sharia.

Moreover, western policy makers, "Islamic" regimes, and indeed large numbers of individual Muslims have all grossly misinterpreted Islamic law. Sharia is not a rigid and immutable "law of God" based on unchanging texts written in the Middle Ages. Understood and applied correctly, Sharia is a flexible, dynamic jurisprudence that is fully compatible with the modern human rights framework.

English-speaking countries boast a strong tradition of settling disputes (commercial or personal) by legally binding arbitration. This already includes non-secular institutions such as longstanding rabbinical tribunals in Britain and many other countries, or Christian mediation services in North America. However, some media commentators such as Mr. Coren see Islam-based mediation as a cause for great concern.

In secular jurisprudence, Sharia is classified as religious law, which is one of the three major categories that individual legal systems generally fall under, alongside civil law and common law.

Sharia law is officially recognised by the justice system in Israel in matters of personal status of Muslims if they choose a Sharia court (e.g. marriage, divorce, guardianship). Judges' salaries are paid by the state.

In Canada legislation framed with secular arbitration in mind but used by religious courts is a hotter issue than in Britain. In 2003 a Toronto lawyer, Syed Mumtaz Ali, proclaimed an "Islamic Institute of Civil Justice" and urged Muslims to use it. The province of Ontario reacted in 2005 by stripping religious tribunals (including Jewish and Catholic ones) of legal force. It also stiffened rules on arbitrators' qualifications and record-keeping.

Meanwhile, appearing on the Michael Coren Show as a Muslim activist, Tareh Fatah claimed that allowing Sharia family law to be used to settle disputes was in fact bypassing the British parliamentary system. This is puzzling at best, considering it was the UK government that enacted this legislation. However, this didn't prevent Mr. Fatah from continuing his anti-Islamic diatribe, with Mr. Coren's support.

"By bypassing the parliamentary legislative system they have now implemented what the Muslim Brotherhood documents from the early 90's said very clearly about the agenda of what they have to do into the rest, which is destroy the system from within. I'm talking about FBI documents submitted in the Texas terror trial in which this 200 page document is there for public discourse."

It is these kinds of comments, that London lawyer Edward Corrigan – a certified specialist in citizenship, immigration and refugee law felt the need to respond to. In an email, Mr. Corrigan said:

In my opinion there should be a hate crime and racism complaint made against these lies and sensational allegations. Islamic wills are nothing new. Elements of Jewish Law are recognized and people who are Christian or whatever can write wills and set whatever conditions they want in the will. Christianity also has a terrible history. He is also generalizing and falsely describing most Muslim countries. This is in my opinion a racist and anti-Islamic polemic. It is up to the Muslim Community to do something about it. Tarek Fatah and Michael Coren, in my opinion, frequently broadcast anti-Muslim and false information that defames Muslims in Canada. It is also my opinion that there are strong grounds to launch a Human rights complaint and also a possible prosecution for hate crimes."

According to Jan Michiel Otto, Professor of Law and Governance in Developing Countries at Leiden University, "Anthropological research shows that people in local communities often do not distinguish clearly whether and to what extent their norms and practices are based on local tradition, tribal custom, or religion. Those who adhere to a confrontational view of Sharia tend to ascribe many undesirable practices to Sharia and religion overlooking custom and culture, even if high-ranking religious authorities have stated the opposite." Otto's analysis appears in a paper commissioned by the Netherlands Ministry of Foreign Affairs.